

1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0134-15g

3

4 INTERVIEW OF: OFFICER CRAIG TIFFE, 1

5 DATE OF INTERVIEW: 07/31/2017

6

7

8 INV. AULET: Thank you. Okay. This interview is  
9 regarding DPA Case number 0134-15, and it's taking place at the  
10 Department of Police Accountability, on Monday, July 31st, 2017,  
11 at 1:10 p.m. The interviewer is DPA Investigator David Aulet.  
12 The member being interviewed is Officer Craig Tiffe, Star number  
13 1312, and he's being interviewed as a named member. Officer  
14 Tiffe, do you understand that you have a legal right to a  
15 representative?

16 OFC. TIFFE: I understand, yes.

17 INV. AULET: And that is why Attorney Michael Whelan,  
18 Junior is here next to you. Have you received a complaint from  
19 [REDACTED] and [REDACTED], regarding an officer  
20 involved shooting on the sidewalk in front of 2857 Folsom Street  
21 on Friday, February 26th, 2015 at 2147 hours?

22 OFC. TIFFE: Yes, I have.

23 INV. AULET: And did you also receive the DPA Allegation  
24 Continuation Form with the Neglect of Duty allegation against ID  
25 pending?

26 OFC. TIFFE: Yes.

27 INV. AULET: And that's an OCC added, or I should say,  
28 DPA added Allegation Continuation Form. Did you receive that

1 one?

2       OFC. TIFFE:       Yes, sir.

3       INV. AULET:       And have you read Department General Order

4 2.08?

5       OFC. TIFFE:       I have, yes.

6       INV. AULET:       And Rule 21 of General Order 2.01, which is

7 on the other side?

8       OFC. TIFFE:       Yes.

9       INV. AULET:       And Section 1(a) of General Order 2.04?

10       OFC. TIFFE:       Yes, I have.

11       INV. AULET:       Have you been here before?

12       OFC. TIFFE:       I have, yes.

13       INV. AULET:       Officer Tiffe, you are obligated pursuant

14 to General Order 2.01, Rule 21, and General Order 2.04(1)(a)(4),

15 to cooperate with this OCC or DPA investigation, provide full

16 assistance, and answer all questions truthfully and without

17 evasion. Additionally, pursuant to General Order 2.08(1)(a)(4),

18 you must answer all questions posed to you during this

19 administrative investigation; you are obligated to answer my

20 questions. If your representative interferes with or obstructs

21 this investigation, you will be deemed to have failed to

22 cooperate with this investigation. Failure to cooperate with the

23 investigation may subject you to discipline. If your

24 representative disrupts this interview, I will stop the

25 interview, and prepare a blue folder which states that you are

26 in violation of General Order 2.01 and General Order 2.04. Do

27 you understand these orders?

28       OFC. TIFFE:       Yes, I do.

1           INV. AULET:       Are you ready to proceed with the  
2 interview?

3           ATTY. WHELAN:    I thought we were going to start with a  
4 Miranda advisement, he would refuse to answer, and then he would  
5 be Lybargered by an IA official.

6           INV. AULET:       If that's something you wanted to do when  
7 there was a criminal investigation, as I understand there is no  
8 longer one, that you were going to make arrangements with  
9 Internal Affairs, in order for them to do a telephone  
10 conference, but that's not something we do. We don't have the  
11 arrest powers.

12          ATTY. WHELAN:    Well, that's what we confirmed by email  
13 that that's what was going to happen.

14          INV. AULET:       But you would need to arrange it with them,  
15 so that they would do a teleconference when we start.

16          ATTY. WHELAN:    It was...

17          INV. AULET:       It's not something that we do.

18          ATTY. WHELAN:    I was under the impression, from my email  
19 exchanges with you and the Sergeant Perdomo, that that process  
20 was set-up, and all we had to do was...

21          INV. AULET:       Maybe between you and Sergeant Perdomo, but  
22 that's something that the representatives take care of. If you  
23 want to do it, there's a phone there. I can give you the number,  
24 and you can call and see which sergeants are on duty; I'm sure  
25 they do this all the time.

26          ATTY. WHELAN:    Okay.

27          INV. AULET:       You want to pull that extension over.

28          ATTY. WHELAN:    Sure.

1           INV. AULET:       And put it on the table. And you can,  
2 let's...

3                   (Phone is put on speaker and call is placed.)

4           RECORDED MESSAGE:       Thank you for calling Internal  
5 Affairs. Our operating hours are Monday through Friday, from  
6 eight a.m. to five p.m. I'm currently unable to take your call,  
7 please leave your message, phone number, and a brief message,  
8 and I will contact you as soon as possible. If this is an  
9 emergency, please hang up and dial 911. For non-emergency calls,  
10 please dial 311. Thank you. Record your message at the tone.

11          INV. AULET:       Stop the interview for a second.

12           **END OF RECORDING**

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0134-15g

4 INTERVIEW OF: OFFICER CRAIG TIFFE 2

5 DATE OF INTERVIEW: 07/31/2017

8 ATTY WHELAN: This is Attorney Michael Whelan, on behalf  
9 of Craig Tiffe. We are now back on the record. We've had an  
10 exchange with the DPA investigator, who does not agree with  
11 Sergeant Tiffe's right to be Lybargered. However, he's allowed  
12 us to call Sergant Crudo, C-r-u-d-o. What's your Star number,  
13 Sergeant?

14 SGT. CRUDO: 1694.

15 ATTY WHELAN: And could you please Mirandize Officer  
16 Tiffe, and then when he answers no, at the end, if you could  
17 Lybarger him, please?

18 SGT. CRUDO: Sure. Officer Tiffe, because there may be  
19 criminal culpability on your part, I want to read you the  
20 following material.

21 OFC. TIFFE: Okay.

22 SGT. CRUDO: All right. I am advising you that you have  
23 the right to remain silent. Anything that you say may be used  
24 against you in a court of law. You have the right to the  
25 presence of an attorney before and during any questioning, and  
26 if you cannot afford an attorney, one will be appointed for you  
27 free of charge before any questioning, if you want. Do you  
28 understand each of these rights as I've explained them to you?

1           OFC. TIFFE:        I understand.

2           SGT. CRUDO:       Okay. Are you prepared to be interviewed at  
3 this time?

4           OFC. TIFFE:       No.

5           SGT. CRUDO:       Have you read the Peace Officer Bill of  
6 Rights?

7           OFC. TIFFE:       Yes, sir.

8           SGT. CRUDO:       Have you been informed of recent court  
9 decisions regarding members', employee rights?

10          OFC. TIFFE:       Yes, sir.

11          SGT. CRUDO:       Do you understand your rights as a Peace  
12 Officer?

13          OFC. TIFFE:       I do, yes.

14          SGT. CRUDO:       Okay. Officer Tiffe, my name is Sergeant  
15 John Crudo. I work for the Internal Affairs Division of the  
16 San Francisco Police Department. I have been designated by the  
17 Chief of Police to conduct this investigation, I'm therefore,  
18 ordering you to answer these questions. Do you understand this  
19 statement?

20          OFC. TIFFE:       I do, yes.

21          SGT. CRUDO:       Okay. Officer Tiffe, are you prepared to be  
22 interviewed at this time?

23          OFC. TIFFE:       Yes, sir.

24          SGT. CRUDO:       All right.

25          ATTY WHELAN:       Thank you.

26          SGT. CRUDO:       Sure, no problem. See you.

27          INV. AULET:        I would like to clarify the record of your  
28 mischaracterization, Attorney Whelan, with regard to my

1 position. It is not my position that I'm denying Officer  
2 Tiffe's, any rights, but it is your responsibility to make the  
3 arrangements prior to, if you wanted him to be Mirandized or  
4 Lybargered. With that in mind, Officer Tiffe, are you ready to  
5 proceed with your interview?

6 OFC. TIFFE: Yes, sir.

7 INV. AULET: Officer Tiffe, have you had an opportunity  
8 to review any statement you gave Homicide or Internal Affairs in  
9 relation to SFPD Incident Report number 150 178 555, in relation  
10 to the officer involved shooting on Friday, February 26th, 2015,  
11 that you were involved with?

12 OFC. TIFFE: Have I had the opportunity? I've had the  
13 opportunity, yes.

14 INV. AULET: Okay. And Officer Tiffe, SFPD CSI produced  
15 a CD from the pictures CSI Officer Nibungco took of the officer  
16 involved shooting crime scene, on the evening of February 26th,  
17 2015. As part of the OCC, now DPA, investigation of this officer  
18 involved shooting, DPA received, and I printed the photographs,  
19 contained therein; they will be used as part of your interview.  
20 Was your SFPD appointment date February 28th, 2005?

21 OFC. TIFFE: Yes, sir.

22 INV. AULET: And is it correct that you and Officer  
23 Reboli began your career with SFPD as partners, on probation, at  
24 Ingleside Station?

25 OFC. TIFFE: That is correct.

26 INV. AULET: And were you re-assigned to Mission Station  
27 in the summer of 2007?

28 OFC. TIFFE: That is correct.

1           INV. AULET:       Was Officer Reboli your partner again at  
2 Mission Station?  
3           OFC. TIFFE:       Yes, sir.  
4           INV. AULET:       Was your unit identifier on February 26th,  
5 2015, 3 David 39?  
6           OFC. TIFFE:       Yes.  
7           INV. AULET:       Was your shift 14 to 2400 hours on the  
8 evening of February 26th, 2015?  
9           OFC. TIFFE:       Yes.  
10          INV. AULET:       Are you five feet, nine inches tall?  
11          OFC. TIFFE:       Yes, sir.  
12          INV. AULET:       Were you about 180 pounds on February 26th,  
13 2015?  
14          OFC. TIFFE:       Yes.  
15          INV. AULET:       And were you and Officer Reboli worked in  
16 plainclothes that night?  
17          OFC. TIFFE:       Yes, sir.  
18          INV. AULET:       Was your Star exposed or hidden prior to  
19 your arrival to the 2800 block of Folsom Street?  
20          OFC. TIFFE:       Exposed.  
21          INV. AULET:       Do you wear prescription glasses or  
22 corrective lenses?  
23          OFC. TIFFE:       I do wear contact lenses.  
24          INV. AULET:       And did you wear them on the night of  
25 February 26th, 2015?  
26          OFC. TIFFE:       Yes, sir.  
27          INV. AULET:       Are you right-handed?  
28          OFC. TIFFE:       I am, yes.



1           INV. AULET:       Who was your immediate patrol supervisor  
2 that night?  
3           OFC. TIFFE:       Sergeant Dan Silver.  
4           INV. AULET:       Was he working that night?  
5           OFC. TIFFE:       I believe he left early that night. So, he  
6 may have been on shift and left at some point, but I don't  
7 recall.  
8           INV. AULET:       To the best of your understanding, do you  
9 believe that he left prior to the shooting?  
10          OFC. TIFFE:       I know for a fact he was not there, he was  
11 already off shift when the shooting occurred. He may have been  
12 there during the day, at some point.  
13          INV. AULET:       So, the answer is no, he was not there when  
14 the shooting occurred?  
15          OFC. TIFFE:       Yes, correct.  
16          INV. AULET:       Do you know if he returned to the scene at  
17 any time that night?  
18          OFC. TIFFE:       I do not know.  
19          INV. AULET:       Were you using your Department issued  
20 Sig Sauer 226?  
21          OFC. TIFFE:       Yes, sir.  
22          INV. AULET:       And that's a .40 caliber. Correct?  
23          OFC. TIFFE:       Yes, sir.  
24          INV. AULET:       Did you make any modifications to it?  
25          OFC. TIFFE:       No.  
26          INV. AULET:       Were you carrying a secondary weapon that  
27 night?  
28          OFC. TIFFE:       No, sir.

1           INV. AULET:       Were you and Officer Reboli driving an  
2 unmarked silver Crown Victoria, depicted in picture 113, before  
3 you?  
4           OFC. TIFFE:       Yes, sir.  
5               (Land line phone rings.)  
6           INV. AULET:       (Answers it.) DPA David.  
7               (Phone doesn't connect caller.)  
8           INV. AULET:       Hello?  
9           SGT. TACK:        Yeah. Is [unintelligible]?  
10          INV. AULET:       Yeah, this is David Aulet.  
11          SGT. TACK:        Yeah. This is Sergeant Tack from Internal  
12 Affairs. I'm returning your call.  
13          INV. AULET:       We handled the Lybarger. Thank you for  
14 calling back.  
15          SGT. TACK:        Sure, no problem. Okay.  
16          INV. AULET:       Were you the passenger in the front seat of  
17 this unmarked silver Crown Victoria, during your response to  
18 this 222 call about a person with a knife, chasing another at  
19 Folsom and 24th Street?  
20          OFC. TIFFE:       Yes sir.  
21          INV. AULET:       And after this officer involved shooting,  
22 did any SFPD member ask you which of the vehicles parked on  
23 Folsom Street was your vehicle?  
24          OFC. TIFFE:       Can you repeat that question, please?  
25          INV. AULET:       Sure. After the officer involved shooting,  
26 while you're still on Folsom Street, did any SFPD member ask you  
27 which of the vehicles parked on Folsom Street was your vehicle?  
28          OFC. TIFFE:       I don't recall.

1           INV. AULET:       Can you describe briefly, generally, your  
2 state of mind right after the shooting?

3           OFC. TIFFE:       It's very difficult to describe; slow  
4 motion, state of shock. The best way I've described it, and I  
5 think I described it in a previous statement, is kind of like an  
6 out of body experience. Really briefly, I found myself doing  
7 police activity, but it wasn't like a normal, like respond to a  
8 normal scene. But yeah, so it's very difficult to recall things  
9 in a timeframe manner. I can recall events. Unfortunately,  
10 they'll probably be stuck with me the rest of my life, but  
11 timeframe is a little different.

12          INV. AULET:       Okay. And despite that state of mind that  
13 you just described, did you at least recognize that the number  
14 of sirens and engines that were arriving promptly to the block  
15 from both directions?

16          OFC. TIFFE:       For the sirens, most definitely yes. Can I  
17 count how many? No. So, but yes.

18          INV. AULET:       No, I'm not asking you how many. There were  
19 about 32 units in the crime scene log that seemed to have been  
20 arriving either at the same time, or the person maintaining the  
21 crime scene log had difficulty accounting for how many units.  
22 So, I surmised that there were a lot of people arriving during  
23 the first bunch. Do you recall a broadcast by one sergeant, who  
24 alerted other units already on-scene? At any point, did you  
25 remember a broadcast by someone alerting other units to ensure  
26 that there was a lane of traffic for ingress and egress, for the  
27 medics to come into the blocks?

28          OFC. TIFFE:       It's tough to recall.

1           INV. AULET:        I understand.

2           OFC. TIFFE:        So, sorry.

3           INV. AULET:        Do you recall telling Homicide that you and

4 your and your partner bought a cup of coffee around 9:30 p.m. on

5 24th Street and Noe, just before the 222 call about a person

6 with a knife chasing another came in?

7           OFC. TIFFE:        Yes, I recall that statement.

8           INV. AULET:        Where do you two get your coffee at night?

9           OFC. TIFFE:        Well, back then, different...things have

10 changed now. He really likes Starbucks, so we had got a cup of

11 coffee. I gave an approximate time, I wasn't sure, but on or

12 around 9:30. It could have been give or take several minutes,

13 but I recall in my statement to Homicide, it was somewhere

14 around 9:30. It could have been 9:20, it could have been 9:15,

15 but somewhere around there.

16          INV. AULET:        Do I gather that you're not a Starbucks

17 fan?

18          OFC. TIFFE:        I'm not a Starbucks fan. I love my Philz

19 coffee, but I did purchase; Philz is closed. I purchased

20 Starbucks, I'm pretty sure I purchased Starbucks that night.

21          INV. AULET:        Did you say Philz was closed?

22          OFC. TIFFE:        At 9:30, around 9:00, yes.

23          INV. AULET:        Okay. So, it wasn't at Philz, because

24 that's right at the corner from Folsom and 24th.

25          OFC. TIFFE:        If I'm, I don't know if they're open at

26 night, but I'm pretty sure Philz on 24th and Folsom is open

27 until 8:30.

28          INV. AULET:        Okay. And you remember that's not where you

1 got your coffee at?

2       OFC. TIFFE:       I did not get a coffee at Philz, though I  
3 am a Philz fan, for the record.

4       INV. AULET:       So, you were up in the 24th and Noe area?

5       OFC. TIFFE:       At one point, yes, we were.

6       INV. AULET:       Okay. And do you recall the initial calls  
7 about this 222, A-priority call?

8       OFC. TIFFE:       Yes.

9       INV. AULET:       The initial broadcast was, quote, "Mission  
10 222, A-priority, 24th and Folsom." End quote. Do you recall  
11 being real close to 24th and Folsom, at the time this 222 call  
12 for service was broadcasted to Mission units?

13       OFC. TIFFE:       Yes, sir.

14       INV. AULET:       Do you recall where on 24th you were?

15       OFC. TIFFE:       No, sir. I just, well, I was east of  
16 Folsom, and we were, all I can say is very close. Because we  
17 were in constant motion, I can't, I cannot pinpoint a location.  
18 We weren't sitting somewhere, we were driving around, so we were  
19 constantly in motion, but we were east of Folsom, or I should  
20 say east of 24th and Folsom.

21       INV. AULET:       Do you recall telling Homicide perhaps you  
22 were in the vicinity of Alabama, which is about three blocks  
23 east from Folsom?

24       OFC. TIFFE:       Yes, I remember telling Homicide that, and  
25 I know that at some point, we were on Alabama. I just don't  
26 recall when.

27       INV. AULET:       And in what direction did your unit enter  
28 the 2800 block of Folsom Street?

1           OFC. TIFFE:       To this day, I don't recall if we turned  
2 right onto Folsom from 25th, or we turned right on Folsom from  
3 26th. So, to this day, I don't recall, so it's one of those  
4 avenues.

5           INV. AULET:       That's all right, but at least you remember  
6 that you entered from south to north, in a northbound direction?

7           OFC. TIFFE:       Yes, sir.

8           INV. AULET:       Okay. And as a passenger, were you  
9 operating the low-band radio in your unmarked vehicle?

10          OFC. TIFFE:       I don't think the grey...it's been such a  
11 long time since I've been in there. I don't think it has a low-  
12 band.

13          INV. AULET:       So, both of you relied exclusively on PIC  
14 radio?

15          OFC. TIFFE:       Yes, sir.

16          INV. AULET:       Did you hear any of the updated broadcasts  
17 prior to making that entry on the 2800 block of Folsom Street?

18          OFC. TIFFE:       I did, yes.

19          INV. AULET:       What is your recollection of those  
20 important details provided to responding units about a man  
21 chasing another with a knife?

22          OFC. TIFFE:       Pretty much, you kind of already said it. A  
23 man, one man chasing another with a large knife, and both  
24 subjects being Latin male adults, 5'5. I don't remember a  
25 clothing description that was broadcast.

26          INV. AULET:       You recall 3 David 14 Edward was dispatched  
27 or came out to take this call first?

28          OFC. TIFFE:       Yes, sir.

1 INV. AULET: And do you know who that unit is or was?  
2 OFC. TIFFE: I know one of the members.  
3 INV. AULET: Who?  
4 OFC. TIFFE: I don't know who the other one was.  
5 INV. AULET: Who do you believe that is?  
6 OFC. TIFFE: I believe it to be Officer Gilman.  
7 INV. AULET: Gilman? Okay. And do you remember  
8 3 David 16 David also said he was responding as a backup unit,  
9 backing up 3 David 14?  
10 OFC. TIFFE: I don't recall 3 David 16 David.  
11 INV. AULET: Dispatch added that the RP yelled at  
12 someone on the background. "He's running with a knife over  
13 there, heading Folsom towards 25th," that's a quote. Did you  
14 hear that dispatch broadcast?  
15 OFC. TIFFE: I'm not sure if I heard that exact  
16 broadcast. I do recall the travel. So, I was made aware that  
17 they were heading on Folsom towards 25th, and I was also made  
18 aware that one was chasing another with a knife. So, I don't  
19 know if it's this specific one you're talking about.  
20 INV. AULET: In fact, the following broadcast is exactly  
21 what you're referring to. It's, quote, "222 is chasing another  
22 male. Both are five feet five inches tall. We're still trying to  
23 get a little further description." End quote. Did you hear that  
24 one?  
25 OFC. TIFFE: Like I said, I heard, I definitely heard  
26 five-foot five. I definitely heard direction of travel, and then  
27 one's chasing another with a knife. I just, I can't, you know,  
28 two years ago. I can't pinpoint which specific broadcast that I

1 heard. I may have heard both, because they both kind of  
2 contained the same information.

3 INV. AULET: Does the unmarked vehicle have an [NVT]?  
4 OFC. TIFFE: Yes, sir.

5 INV. AULET: Did you broadcast or type-in on the NVT  
6 that your unit was also responding as a backup unit?  
7 OFC. TIFFE: We did. I don't recall if it was me, it  
8 probably was me, but I, we did. I know for a fact that one of us  
9 did.

10 INV. AULET: Have you reviewed any broadcasts about this  
11 that we're talking about?  
12 OFC. TIFFE: No.

13 INV. AULET: Okay. 3 David 13 Edward also broadcasted  
14 10-25 to indicate they're responding as backup. Did you hear  
15 them?  
16 OFC. TIFFE: Which unit did you say, sir?  
17 INV. AULET: 3 David 13 Edward.  
18 OFC. TIFFE: No.

19 INV. AULET: How about the broadcast that Dispatch  
20 provided? Quote, "And they possibly came out of a house,  
21 [REDACTED] Folsom Street." End quote. Did you hear that.  
22 OFC. TIFFE: I don't remember that one. That one doesn't  
23 stand out in my mind. In the moment, I may have heard it, but  
24 trying to remember it now, I don't.

25 INV. AULET: Okay. How about the following one, in which  
26 the Dispatch says, quote, "Both LMA yelling in Spanish." Did you  
27 hear that?  
28 OFC. TIFFE: Once again, I may have heard it that night,



1 but I don't recall it.

2 INV. AULET: So, from what you've said earlier, you seem  
3 to remember Latin male adults, and five feet five inches, which  
4 comes from two separate broadcasts. Is that correct?

5 OFC. TIFFE: Yes.

6 INV. AULET: So, you've heard part of what was  
7 broadcasted as you were both responding?

8 OFC. TIFFE: Yes, sir.

9 INV. AULET: Did you hear the Dispatch update about both  
10 subjects being Latino male adults yelling in Spanish? Strike  
11 that, I just asked you that question. So, did you or did you not  
12 recognize that both subjects might be two males with limited  
13 English proficiency, when you were en route to Folsom Street?

14 OFC. TIFFE: Regardless of whether I heard that  
15 transmission or not, I have worked in the Mission ten years, and  
16 I always take, I always play that in my mind that that is a  
17 possibility.

18 INV. AULET: Could you elaborate on that, so I can  
19 understand what you mean?

20 OFC. TIFFE: I've made a lot of contacts with people in  
21 the Mission. I've worked since July of 2007, and whether it's my  
22 personal life, whether it's my professional life, I've had to  
23 communicate with limited English-speaking, so I always take that  
24 in consideration. So, I'm going, I'm at 24th and Folsom; Latin  
25 males. Like I said, I may have heard that, and that would have  
26 brought that to my attention. But regardless of the fact, I  
27 always keep that in consideration, not only because of our  
28 policies, but just the fact that communication is key in my job.

1 So, I'm always aware of that.

2 INV. AULET: Would you say that you responded  
3 expeditiously to this call for service?

4 OFC. TIFFE: Can you define expeditiously? I did not  
5 respond Code 3, and we obeyed all traffic laws; we were really  
6 close.

7 INV. AULET: So, not lights or sirens were activated in  
8 your unmarked vehicle?

9 OFC. TIFFE: To this day...no sirens. Definitely not, I  
10 don't recall if the red light...if I can describe to you the light  
11 in the grey Crown Vic, it is a forward red light. So, it's not  
12 overhead lights that flash, it's a solid red. There may be a  
13 blinking white, I don't recall, but a blinking red, I mean a  
14 blinking white. So, I don't recall if the forward red light was  
15 put on at any point, but I know we did...I don't recall responding  
16 Code 3, and I wasn't driver.

17 INV. AULET: So, was the reason that you were the first  
18 unit on-scene because you were so close to 24th and Folsom  
19 Street?

20 OFC. TIFFE: I believe so, yes.

21 INV. AULET: And since you were so close, did you  
22 anticipate being the first unit on-scene when you heard this  
23 first broadcast?

24 OFC. TIFFE: Yes. I believe there would be a possibility  
25 we'd be first on-scene.

26 INV. AULET: Could you activate, from the passenger  
27 seat, an emergency light in your unmarked vehicle? Yes or no?

28 OFC. TIFFE: I could, but it would not be, it wouldn't

1 be something you would do in practice. For example, in a marked  
2 vehicle, the red lights—now, I can't speak for the brand-new  
3 cars, but the cars I've been in most of my career, is on the  
4 center console. In the Crown Vics, there is a light switch  
5 that's activated near the steering wheel. So, I would have had  
6 to reach across the center console into the driver area, and I  
7 could have disrupted his driving. It is possible, but it would  
8 not be advisable.

9 INV. AULET: It is to the right side of the lap of your  
10 partner or to the left?

11 OFC. TIFFE: It is to the left side, if I remember  
12 correctly. Like I said, it's been a long time since I've been in  
13 the grey car.

14 INV. AULET: And is it on the center console?

15 OFC. TIFFE: No. It is actually on the dash.

16 INV. AULET: Is it something you recall doing, since you  
17 are concerned about disrupting his driving?

18 OFC. TIFFE: No. I would have not done that at all. But  
19 I was just answering your question, is it possible for me to do  
20 that? So, I tried to describe that, but I did not do that, no,  
21 and I would not do that, nor have I ever done that.

22 INV. AULET: Was there a particular reason why sirens  
23 and lights were not activated, since you were in an unmarked  
24 vehicle, and then you anticipated being the first one on-scene,  
25 given that you were so close?

26 OFC. TIFFE: No. There's no reason.

27 INV. AULET: Did you have the time to activate the siren  
28 and lights in this case?

1           OFC. TIFFE:       Sure, we had the time, yes.

2           INV. AULET:       And again, you believe there was no  
3 particular reason for not doing so?

4           OFC. TIFFE:       I can't speak to my partner, who would have  
5 activated it.

6           INV. AULET:       Correct.

7           OFC. TIFFE:       Yeah.

8           INV. AULET:       I'm just asking you.

9           OFC. TIFFE:       But we were close by. We didn't have, there  
10 would be no reason to do it.

11          INV. AULET:       Okay. Did Officer Reboli say anything to  
12 you about not activating the siren during this response?

13          OFC. TIFFE:       We did not have a conversation about  
14 activating the lights and siren.

15          INV. AULET:       Did you have any conversation during those  
16 few blocks before reaching mid-block Folsom Street, what both of  
17 you were going to do if you were the first unit on scene? Yes or  
18 no?

19          OFC. TIFFE:       We had limited conversation. I don't recall  
20 any conversation in regards to a plan, if that's what you're  
21 asking, no.

22          INV. AULET:       What is your recollection of that limited  
23 conversation about?

24          OFC. TIFFE:       Well, at one point, Officer Reboli saw both  
25 subjects first, and he alerted me to the subjects; they were out  
26 of my view. He was able to see them in the middle of the street,  
27 so he alerted me to that.

28          INV. AULET:       Two in the middle of the street?

1           OFC. TIFFE:       He saw two subjects and he pointed them out  
2 to me.

3           INV. AULET:       Are you sure it was not one?

4           OFC. TIFFE:       I'm pretty sure he said there was two.

5           INV. AULET:       Okay.

6           OFC. TIFFE:       Initially, when he first made that  
7 statement.

8           INV. AULET:       And before we get into those details, what  
9 were your intentions to respond expeditiously to this call in  
10 plainclothes?

11          OFC. TIFFE:       What were my intentions? Well, I was, based  
12 on the call, my thought process was one man was trying to kill  
13 another. So, I was trying to stop that from happening.

14          INV. AULET:       Did you intend to surprise the two subjects  
15 in this call by arriving without uniform, lights, or sirens  
16 activated?

17          OFC. TIFFE:       No. The fact that I was not in uniform just  
18 was circumstance; that was my assignment that night. So, I could  
19 not, I didn't have the time to switch and put on a uniform. I  
20 will say typically, when we search for a subject, we won't  
21 activate our lights and sirens, but I think the fact that it was  
22 just an immediate decision. We were so close, within a matter of  
23 two blocks or so, we just made a decision to try to intervene in  
24 what we believed to be a violent felony in progress.

25          INV. AULET:       And did you actually recall that you,  
26 quote, "Put your unit in the computer backing whichever marked  
27 unit was assigned to this call," end quote, as you stated during  
28 your voluntary statement to Homicide?

1       OFC. TIFFE:       I recall that statement, yes.

2       INV. AULET:       And what does that entail?

3       OFC. TIFFE:       I don't remember the format in 2015,

4 because the computer formats often changed, but it's simply,

5 there's an F-button that you would put. There's a couple of

6 different ways to do it, but the most general one is you hit the

7 F-button, and whatever unit that is already assigned to that

8 call, the screen will prompt, and it will give you, you know.

9 You just type in whatever unit is the primary or whatever unit

10 is assigned, then the computer will assign you that call.

11       INV. AULET:       But as a backup unit, because this call was

12 not assigned to you, and you did not request to come up for it

13 as the primary unit. Correct?

14       OFC. TIFFE:       Correct.

15       INV. AULET:       Okay. So, what I'm asking is, how would you

16 actually activate, at that time, in this unmarked vehicle, two

17 years and a few months ago, the 10-25 notification to Dispatch?

18       OFC. TIFFE:       You would type it in manually in the

19 computer system.

20       INV. AULET:       Again, by hitting one of the F-buttons?

21       OFC. TIFFE:       That is one way to do it. I don't recall

22 which way. There's like two ways you can do it, and that way

23 limits radio traffic, because when you have an A-priority such

24 as this, where it's an active felony in-progress, you have a lot

25 of radio traffic. And not only just Mission, you also have

26 Bayview traffic, that's the two stations assigned to Channel A4.

27 It's a Friday night, it's very busy. The best way to do things

28 like that is let the radio be; just type it in. There's already

1 units coming up for it that responded, got on the radio faster  
2 than me, so I just chose to put it in the computer.

3 INV. AULET: So, you don't recall your unit making a  
4 right turn from 25th Street? Is that what I heard earlier?

5 OFC. TIFFE: Like I said, I don't, to this day, I don't  
6 remember if it was from 25th or 26th?

7 INV. AULET: But your memory was it was a right turn?

8 OFC. TIFFE: It was definitely a right turn, yes.

9 INV. AULET: And what do you remember happened after  
10 that right turn onto Folsom Street? You mentioned earlier that  
11 your partner alerted you about two people, somewhere mid-block,  
12 on the street. Is that what I heard?

13 OFC. TIFFE: Yes.

14 INV. AULET: Do you recall what he actually said to you?

15 OFC. TIFFE: No.

16 INV. AULET: Did Officer Reboli alert you before you  
17 exited the unmarked vehicle that there were two guys on the east  
18 side running around, like they were chasing each other on the  
19 street?

20 OFC. TIFFE: At some point, did he tell me something to  
21 that?

22 INV. AULET: Before you exited the unmarked vehicle?

23 OFC. TIFFE: At some point, yes. That sound quite like  
24 the original thing he pointed out.

25 INV. AULET: Okay. And did Officer Reboli alert you that  
26 two guys were hovering near a parked car?

27 OFC. TIFFE: That was, I don't remember if he said that.  
28 He said, "There they are right there," and that was kind of my

1 observation that they were hovering. Now, there's a little bit  
2 of timeframe difference from the original statement. We're  
3 turning on, my visibility is blocked because we're making a turn  
4 at that time, and it's dark. Right? When we're getting ready to  
5 just stop, that's when I see one guy, and eventually two guys,  
6 hovering.

7 INV. AULET: So hovering, that's a word that you used?

8 OFC. TIFFE: I probably used that word, yeah. He may  
9 have used that word, but I probably used that word too.

10 INV. AULET: So, what could you see as you're  
11 approaching that mid-block?

12 OFC. TIFFE: Because we're in constant motion, can you  
13 tell me at what point that you're asking?

14 INV. AULET: Before the vehicle stops.

15 OFC. TIFFE: Before my vehicle stops, I do not see them  
16 in the street. I do not see the subjects. Like he pointed them  
17 out to me and I'm looking, and I still don't recall seeing them.  
18 As we got closer, and I think our headlamps maybe illuminated,  
19 the first thing I see is one subject hovering near the driver's  
20 side, side view mirror. That's my first observation of either of  
21 the subjects.

22 INV. AULET: Could you see, at that point that you were  
23 describing, if the male in the driver's side had a knife in-  
24 hand?

25 OFC. TIFFE: I did not see a knife.

26 INV. AULET: And could you indicate why was it that you  
27 couldn't see whether or not he had a knife, or is that you're  
28 certain that you saw he didn't have one?



1           OFC. TIFFE:       No, I'm not certain that he didn't have  
2 one. I believe there's a possibility he could have.

3           INV. AULET:       Was it because it was dark?

4           OFC. TIFFE:       No, it was, the headlamps had illuminated;  
5 I can see him, but I can only see part of him. But another thing  
6 I'm concerned about is I'm looking for two people, so in that  
7 instant moment... Now, time happens rapid. I'm doing more than one  
8 thing. So, I'm seeing him and I'm also looking for the second  
9 person, because the call is one person chasing another.

10          INV. AULET:       Again, before the car stops, since you also  
11 were looking for that second person, could you see that second  
12 person?

13          OFC. TIFFE:       I did not see the second person prior to  
14 the car stopping.

15          INV. AULET:       And was there anything else Officer Reboli  
16 said to you before he parked the unmarked vehicle, and both of  
17 you exited near the east sidewalk of 2857 Folsom Street?

18          OFC. TIFFE:       We had a conversation; I don't recall at  
19 what point.

20          INV. AULET:       At what point, but what about the content?  
21 Do you have any idea?

22          OFC. TIFFE:       Yeah, I don't recall the content, is  
23 probably what I meant to say. We've been partners a very long  
24 time. We've had numerous...we've encountered so many things in our  
25 career, so we've had countless officer safety, countless  
26 tactical conversations. And the way this played out, it was very  
27 much, when we stopped the vehicle, very much like a traffic  
28 stop, where the subjects were located as to where we were

1 located. For example, we're trained a specific way, and he's  
2 received the same training I did; we were in the Academy  
3 together. You handle a traffic stop—if you have a person in the  
4 driver's seat and a person in the passenger's seat, you approach  
5 that vehicle a certain way, and him and I have done this  
6 countless times throughout our career. There was a subject we  
7 see on the driver's side. My partner, Eric, is on the driver's  
8 side. It's natural for us. So, our tactical approach was, how  
9 we've discussed countless times in our career, he took the  
10 driver's side, I took the passenger's side.

11 INV. AULET: Okay. Do you see picture number ten here?

12 OFC. TIFFE: Yes.

13 INV. AULET: I'm handing it to you.

14 OFC. TIFFE: Thank you.

15 INV. AULET: Could you tell me how far from the blue  
16 Nissan approximately, would you say, your partner parked the  
17 unmarked vehicle? And the blue Nissan is the blue vehicle,  
18 number two, that has been used in your previous interviews with  
19 Homicide. As an ID, the vehicle in the back.

20 OFC. TIFFE: So, here?

21 INV. AULET: Yes.

22 OFC. TIFFE: Approximately a car length behind.

23 INV. AULET: It was not two car lengths behind the  
24 parked blue Nissan?

25 OFC. TIFFE: It's hard to determine. Yeah, I'm not sure.

26 INV. AULET: Could you see Amilcar Perez-Lopez from  
27 within the passenger seat?

28 OFC. TIFFE: I don't recall seeing him when I was seated

1 in the passenger seat.

2 INV. AULET: But once you stepped out of the unmarked  
3 vehicle, did you see Amilcar Perez-Lopez on the east sidewalk?

4 OFC. TIFFE: What stands out in my mind, because I'm  
5 going by memory, is when I got out of the vehicle, yes.

6 INV. AULET: And what is your recollection of what you  
7 saw?

8 OFC. TIFFE: I saw Amilcar directly across from the  
9 other individual. He was hovering or leaning on the passenger  
10 side, near the side view mirror.

11 INV. AULET: On the rear portion of that car?

12 OFC. TIFFE: No, no, no. So, the side view mirror, next  
13 to the passenger side door.

14 INV. AULET: So, you were that further into the blue  
15 Nissan, mid-car?

16 OFC. TIFFE: Yes, sir. So, both of them were directly  
17 opposite of each other, near the side view mirrors, next to the  
18 front doors.

19 INV. AULET: Okay.

20 OFC. TIFFE: So, one subject near the driver's side  
21 front door, and Amilcar next to the passenger front door.

22 INV. AULET: By the way, did you have your Star  
23 displayed throughout your shift while working in plainclothes,  
24 or did you have it inside your black windbreaker jacket that  
25 night?

26 OFC. TIFFE: When I work plainclothes, the only time I  
27 do not have my Star displayed, is when I'm in an undercover  
28 capacity that would require me to blend in. So, I do not recall,

1 sitting here today, if at any time I had that, but I do not  
2 think so, that I was working as an undercover capacity, because  
3 that's not a normal routine thing. People often mistake  
4 plainclothes as an undercover unit. We drive a Crown Vic, and  
5 every person, I can say almost every person I've ever arrested,  
6 which has been a lot, knows that that Crown Vic is a police car.  
7 So, it's not like I'm in an undercover capacity like the movies  
8 depict. Have I done that in my career? On occasion, it's a rare  
9 chance. I'm in plainclothes, so I'm not as easily detected, but  
10 because I'm not easily detected, I always wear my Star out,  
11 because I have too much experience not to have it out. Does that  
12 clarify what I'm saying?

13 INV. AULET: But it doesn't answer my question. So, I'm  
14 going to ask it in a different way.

15 OFC. TIFFE: Okay.

16 INV. AULET: Did you pull your Star during this  
17 incident?

18 OFC. TIFFE: My Star was already displayed when I exited  
19 my car.

20 INV. AULET: Okay. And how was your Star displayed when  
21 you stepped out from the unmarked vehicle?

22 OFC. TIFFE: I thought you were going to show me  
23 something.

24 INV. AULET: Go ahead.

25 OFC. TIFFE: My Star would hang from a silver chain, and  
26 it would be mid-section.

27 INV. AULET: Is it as depicted on picture 100? Is that  
28 how exactly you had it displayed when you stepped out of the

1 car?

2       OFC. TIFFE:       Yes.

3       INV. AULET:       For the record, it is displayed over your

4 outer clothing, hanging from a chain, in front of your chest. Is

5 that an accurate depiction of how you displayed your Star?

6       OFC. TIFFE:       Yes, sir.

7       INV. AULET:       Did the unmarked vehicle have its lights on

8 when it came to a stop?

9       OFC. TIFFE:       The overhead red light or the headlamps?

10      INV. AULET:       No, the headlights.

11      OFC. TIFFE:       I believe the headlights were on.

12      INV. AULET:       But you're not sure?

13      OFC. TIFFE:       Yeah, I'm not sure. I was not the one to

14 turn them on and off, because I'm on the passenger side.

15      INV. AULET:       But just to go back to something you said

16 earlier, do you remember seeing [REDACTED] on the driver's

17 side because the headlights illuminated him. Correct?

18      OFC. TIFFE:       Yes.

19      INV. AULET:       So, can you confirm that when the car came

20 to a stop, the headlights were on?

21      OFC. TIFFE:       I can't confirm whether or not my partner

22 would have turned them off as he exited. I don't think that

23 happened, but you know, it was illuminated, and as we're coming

24 to a stop, the headlights were on. I didn't have a problem, and

25 I know it was dark on Folsom, but I didn't really have a problem

26 with the illumination so much. There's certain dark spots as you

27 get closer to the houses. So, it may have been because there was

28 a street lamp. It may have been because of the head lamps, but I

1 never turned around and looked to see if the head lamps were  
2 still on.

3 INV. AULET: So, as you were describing earlier, seeing  
4 Amilcar Perez-Lopez on the right side of the blue Nissan, by the  
5 front passenger window.

6 OFC. TIFFE: Uh-huh?

7 INV. AULET: Can you tell me from that point what  
8 happened? Your perspective?

9 OFC. TIFFE: Yes. I was in constant motion walking  
10 towards him. I tried to get him to come away from the car. We  
11 looked at each other at some point. When I'm close to the car,  
12 we're looking right at each other. I've described this, and I've  
13 played it in my mind a million times, he had a very crazed look  
14 on his face. He's looking at me, but almost not, he's like  
15 through me. I don't know if I'm describing that well enough. I'm  
16 gesturing him. I'm trying to engage him in conversation. I  
17 announce myself as the police.

18 INV. AULET: What did you actually say?

19 OFC. TIFFE: I said, "Police." I believe—I often, and I  
20 believe I did this in this case, did very much like this, how  
21 I'm grabbing this, and I would be grabbing would be my Star.

22 INV. AULET: For the record, you're [copying] it from  
23 underneath by holding it, so that the person would look at what  
24 you're holding in your left hand?

25 OFC. TIFFE: Yes. I always practice it and do that when  
26 I'm communicating. I've very aware. I have a lot of plainclothes  
27 experience. Up until that point, I've worked plainclothes for  
28 approximately seven years, so I've been in a lot of encounters.

1 So, to further my description of what's going on, I'm gesturing  
2 to step away. I'm indicating I'm the police. So, I'm telling him  
3 to step away from the car.

4 INV. AULET: Let me stop you for a second. Do you  
5 actually recall doing that that you did here with your hands?

6 OFC. TIFFE: Yes. I don't know if was right or left, but  
7 I remember gesturing at some point, and I'm always in motion.

8 INV. AULET: For the record, you were motioning with  
9 your left hand as if to come over towards me, or to get away  
10 from where you're at. Is that the motion that you were making  
11 with your left hand?

12 OFC. TIFFE: That's the motion I made to you, yes.

13 INV. AULET: That's what I'm asking. Were you doing that  
14 when you were approaching Amilcar?

15 OFC. TIFFE: Yes.

16 INV. AULET: Okay.

17 OFC. TIFFE: Like I said, I don't know left to right  
18 hand. Right?

19 INV. AULET: I understand.

20 OFC. TIFFE: Talking with you, I'm just talking with my  
21 hands.

22 INV. AULET: I understand. I just want to remind you  
23 that this is not a video, so it assists the listener and the  
24 transcribers when you put into the record what I just did, when  
25 you're describing your own physical motions. Please continue.

26 OFC. TIFFE: And at some point, he's looking at me. I  
27 get this strange feeling. I decide that my whole, our whole  
28 purpose is, I have one person... My whole mindset going into this

1 is, I have one person chasing another with a knife. I need to  
2 separate them to make both parties safe. I need to secure the  
3 weapon, I need to find the weapon. My partner is dealing with  
4 one, so I have one. He may have the suspect, I may have the  
5 suspect. At some point, I'm not getting any interaction, and  
6 then I have this crazed look, and he's not following my  
7 directions. I decide to, as I'm closing the gap at some point, I  
8 said I need to move him away from the car. I got to see. So, as  
9 I get close to him, at some point, his left hand comes up, and I  
10 grab his left wrist.

11 INV. AULET: Does that mean that he was facing the  
12 street as you approach him?

13 OFC. TIFFE: I'll clarify. If this table is the car,  
14 he's leaning and then looking over his left shoulder towards my  
15 direction. And initially, my first recollection of seeing his  
16 face was eye-to-eye; we looked eye-to-eye. I can't tell you  
17 where I was when that happened because I'm in constant motion. I  
18 know I'm walking cautiously. I have a lot of things going on in  
19 my head, but I can see his left side, and as I close the gap, at  
20 some point, his left hand comes up. I know it does not have a  
21 knife, but I grab his, somewhere around his left wrist.

22 INV. AULET: Did I hear you say earlier that you were  
23 not getting any interaction?

24 OFC. TIFFE: If I said it...we'll, I'm obviously getting  
25 interaction; he's staring at me. If I used that word, I used  
26 that word incorrectly. I'm not getting any verbal response. He's  
27 looking at me, he's not responding to, verbally at least, or his  
28 physical actions, to my verbal commands or my non-verbal



1 | commands.

2 |       INV. AULET:       And those were to come over?

3 |       OFC. TIFFE:       Yes.

4 |       INV. AULET:       Okay. Since both subjects were reported  
5 | yelling to each other in Spanish, did you believe he understood  
6 | your command?

7 |       OFC. TIFFE:       Well, at that time, I don't know, and I  
8 | didn't have the luxury of time to be able to play that out in my  
9 | mind. So, the way that comes about in a split second is I have  
10 | to take into consideration what I'm responding to. My partner's  
11 | not alerted to me that he's found a knife yet, I haven't found a  
12 | knife yet. One person, in my mind, was trying to attack another  
13 | with a knife, so I have to secure it. Obviously, as I already  
14 | said on record here, dealing with limited English people, I have  
15 | done that, in my personal life and in my professional life. I've  
16 | really never encountered a problem. I've worked seven years in  
17 | the Mission as plainclothes, I've never encountered a problem as  
18 | not being able to identify myself as a police officer. Whether I  
19 | was arrested someone who didn't speak English or whether I was  
20 | arresting someone, or dealing with a witness that speak limited  
21 | English, I never really had a problem.

22 |       I do know I was having a problem, but I will tell you my  
23 | mind frame was focused on his look. His look was a crazed look,  
24 | and I believe at the moment he was either high, intoxicated, or  
25 | he had, and I've described it and I don't know if I'll ever be  
26 | able to forget this, I wish I could, like blood lust craze.

27 |       INV. AULET:       I'm glad you used those two words, because  
28 | you used them in combination with Homicide, and I was trying to

1 understand what does that mean in your mind, as you used that  
2 combination of those two words, four words—blood, lust, crazed  
3 look on his face. How is that different from the typical Latino  
4 who don't speak much English, but you encounter, arrest, or have  
5 to use force to place them into custody to this one?

6       OFC. TIFFE:       I think the movies display it pretty well.  
7 All I can say is non-verbal communication is huge. I'm big on  
8 non-verbal communication. Verbal communication is also big in my  
9 book, but the way you're intent on something. His focus, his  
10 intensity, it's just like a competitor playing basketball. You  
11 can tell when someone's intent on doing something, how the  
12 determination on their face. I don't know what, all I can say is  
13 I've only seen this look, it was on Amilcar's face, a few times  
14 in my career. Most of the time that I have seen it, it had to do  
15 with when I have encountered an actual DV where I've had to  
16 separate the parties, where it was like an ongoing thing, not  
17 something had happened, there was time, and then I responded,  
18 but it was something where I responded and it was in-progress;  
19 I've seen that look and that determination. So, the best way to  
20 paint a picture for you is if you watched any type of sport and  
21 you see an athlete, and they're just determined to score a goal,  
22 shoot a hoop, to complete that pass, to rush...football is not a  
23 good example, because they've got helmets on. But whatever that  
24 athlete is, that look of determination, that they're just going  
25 to complete that task no matter what, and that still doesn't  
26 really compare of what I saw.

27       INV. AULET:       And as you grabbed that left hand, what  
28 happened?

1           OFC. TIFFE:        I grabbed his left, I believe, wrist or  
2 forearm with my right hand. I grabbed like his outer clothing  
3 behind the neck, like shoulder area, and then I said again, "Get  
4 away from the car," and I started to move him away from the car.  
5           INV. AULET:       You mean to pull him?  
6           OFC. TIFFE:       Yeah, do pull him away. Do you want me to  
7 continue?  
8           INV. AULET:       Please.  
9           OFC. TIFFE:       Okay. It's a very large sidewalk, we're in  
10 constant motion. I'm moving away and in the Academy, we're  
11 taught certain instances, you're just going to have like this  
12 spider sense. You're going to have the hairs on your neck crawl.  
13 I've never really had that in my career, maybe until this  
14 moment. I've been in a lot of situations. I respond to a lot of  
15 knife calls, been in a lot of physical altercations, but in this  
16 moment, something told me I got to take him to the ground. I'm  
17 not a very physical, aggressive person. I've never been like in  
18 a lot of 148s, I'm more about communicating. I've made countless  
19 arrests in my seven-year plainclothes' career. I have had to,  
20 but for the most part, I'm not really an aggressive person.  
21           But something told me in that moment, I've got to take him  
22 to the ground. So, I attempted to take him to the ground, and I  
23 told him, "Get on the ground." And as I did that, I bent him  
24 forward, but he countered what I tried to do. He took a step  
25 forward, and then he lunged up at me, and I still didn't see  
26 what his...he lunged up with his right hand. I didn't see what was  
27 in his hand, but I knew I had to disengage. It wasn't worth  
28 struggling to take him to the ground, so I pushed away from him.

1 I jumped back and then he attempted to strike me. Something came  
2 across my chest and it was just so fast, I didn't see what it  
3 was until now, he's in front of me, and he's raising an object,  
4 and at that point, I see it's a large knife.

5 INV. AULET: And to approximately where, if you can  
6 simulate, did he raise that object?

7 OFC. TIFFE: It was like his face level. So, I'm like  
8 I'm holding my fist right now, around my shoulder area.  
9 Somewhere around like that.

10 INV. AULET: So, did you actually tell him to get on the  
11 ground? Is that the actual command that you told him, once you  
12 had him by the areas you described you had grabbed?

13 OFC. TIFFE: I don't remember the exact words. I  
14 definitely said, "Get on the ground," something to that. At that  
15 point, I had become, like I described, something alerted me—my  
16 instinct. I don't know. So, obviously I was probably very  
17 nervous at that point, I would say. Right? I felt something was  
18 going to happen. I felt like some, I don't even know, some bad  
19 feeling. So, I probably yelled, "Get on the ground." I don't  
20 know if I said the exact verbiage.

21 INV. AULET: And given the lack of response to your  
22 first initial command, and now you're providing the second  
23 command in English, "Get on the ground," do you still believe he  
24 understood your command in English the second time around?

25 OFC. TIFFE: I didn't have the luxury to debate. As I  
26 kind of answered your question already, I believed at some  
27 point, he didn't understand what was going on, but I based it on  
28 so many experiences. I've had countless experiences in my

1 professional life, that I've dealt with witnesses, victims,  
2 suspects, who do not speak or speak limited English, and I'm  
3 always able to get to where I have to go. For example, if I have  
4 a witness that wants to report a crime, I'm able to at least get  
5 something where, okay, now I've got to call the Language Line,  
6 and or I've got to get a translator. Right? I can make some form  
7 of communication.

8 Like, okay, you recognize I'm the police, now I recognize  
9 that you're a witness, or I need to recognize that you're a  
10 victim. Okay. If you're a victim, are you hurt anywhere? Because  
11 there's things that trump getting the story. Right? If someone's  
12 bleeding out, I've got to be able to break those communication  
13 barriers. Right?

14 In my personal life, [REDACTED], limited-speaking  
15 English. They were both [REDACTED]. From the  
16 first time I met them, we were able to communicate, and  
17 eventually through the years, their English got better. I picked  
18 up little Spanish words. My [REDACTED], the same  
19 thing. She's, at one point, she was limited-speaking. [REDACTED]  
20 [REDACTED], I'm able to communicate. Or I'm able to see they  
21 are cousins, they're visiting from their respective countries.  
22 That initial conversation, I can't talk to them like I'm  
23 speaking with you, but I'm able to break through.

24 That was not, I didn't really feel that. In this case, my  
25 thing was that he's intoxicated or he's high or blood lust. He's  
26 like looking through me. Now, if he like looked at me and  
27 recognized, and we had a connection, then I probably would have  
28 had the ability to, okay, maybe he's not understanding me

1 because he's limited-speaking, or Spanish-speaking, or whatever  
2 the case. That wasn't. He was looking through me, there's like a  
3 difference, so that led me to believe of the intoxication level  
4 or the blood lust crazed thing. Right?

5 So, once again, it's like when I'm telling him to get on  
6 the ground, my training kicks in. I'm nervous, I feel like I'm  
7 in flight or fight mode, so my training is kicking in. "Get on  
8 the ground." When we're trained to like take people to the  
9 ground, we give them a command and we execute it, right, so  
10 that's why it kicked in, yeah.

11 INV. AULET: Let's talk about this. I think you said you  
12 spin him around to take him to the ground. I need to step  
13 forward to prevent you from doing that. What actual technique  
14 were you using? Was this a bar-arm takedown that you were doing?

15 OFC. TIFFE: Well, I had somewhat of a bar-arm takedown,  
16 because I had his left arm.

17 INV. AULET: Yes?

18 OFC. TIFFE: But my hand was on his shoulder, and my  
19 intent was not to take him down initially. So, it's not like I  
20 had a bar-arm set-up. Right? So, I had him...

21 INV. AULET: So, you didn't execute it?

22 OFC. TIFFE: I did not execute it, I just, when it  
23 flipped, I went from, "Let me take him away from the car to, uh,  
24 my God, I've got to get him on the ground." I didn't, you know,  
25 my intent was just to overpower him, and using, to put, I  
26 already had my hand, as I described, on his outermost clothing,  
27 back shoulder area, and I just used leverage, and just figured  
28 I'd take him down that way. And I just reacted, that's all I

1 did.

2 INV. AULET: So, he took advantage of you not executing  
3 it and took a step forward, and it allowed him to stand up and  
4 take that swipe that you described?

5 OFC. TIFFE: Well, either way...I will say this. If I  
6 would have executed... The only difference between what I did and  
7 a bar-arm takedown is my right arm would hit his tricep, which  
8 would force him to go down. If I would have done that in this  
9 case, I probably would have been dead, if I'm going to Monday  
10 morning quarterback, because I wouldn't have executed it  
11 properly. Because he still can put that front leg forward to  
12 take it, and it's all about pain threshold. So, if he would have  
13 had pain threshold, I would have lost control of his body, and I  
14 would not have been able to disengage.

15 INV. AULET: So, that's when you pushed him?

16 OFC. TIFFE: Yes.

17 INV. AULET: I see.

18 OFC. TIFFE: So, I failed...

19 INV. AULET: Can you describe how you pushed him to  
20 separate yourself from him?

21 OFC. TIFFE: It's hard. He was coming up at me. I used  
22 his motion, and I just pushed back.

23 INV. AULET: For the record.

24 OFC. TIFFE: Yeah?

25 INV. AULET: You're pushing both of your arms forward.

26 OFC. TIFFE: I disengaged, I jumped back, and I pushed  
27 him. The only thing, what I had is, I'm sure my left hand did  
28 nothing, because it had his arm, but my right hand tried to push

1 him away from me. But he was coming up, his momentum was coming  
2 up. I used his momentum and I just tried to get back.

3 INV. AULET: And again, you [sensed] that momentum from  
4 him coming, and that's why you pushed him?

5 OFC. TIFFE: Yes, it was kind of simultaneous, yeah.

6 INV. AULET: Okay. And what kind of distance did it  
7 provide you?

8 OFC. TIFFE: Not very much.

9 INV. AULET: Can you approximate in feet?

10 OFC. TIFFE: Probably like you and I, the distance  
11 between you and I. This is what, two to three feet?

12 INV. AULET: Okay. And could you see, at that point,  
13 what Amilcar was doing with his right hand?

14 OFC. TIFFE: After I disengaged?

15 INV. AULET: As you pushed him?

16 OFC. TIFFE: Yes, I saw his right hand coming up towards  
17 me, but my intent was to get away. So, his right hand came up  
18 towards my chest, came across my chest as I'm jumping back, and  
19 I knew he had something in his hand. I didn't recognize what it  
20 was until he was standing directly in front of me.

21 INV. AULET: Okay. Are you sure you didn't come out of  
22 the car with your weapon on your right hand already?

23 OFC. TIFFE: One-hundred percent sure.

24 INV. AULET: Okay. So, what happened after you see what  
25 he's holding in his right hand?

26 OFC. TIFFE: I drew my firearm.

27 INV. AULET: And then what happened?

28 OFC. TIFFE: I yelled at him to drop the knife.



1           INV. AULET:        Okay. And was he looking at you at that  
2 point?

3           OFC. TIFFE:       At this point, there's a lot of movement  
4 going on. When I first drew the weapon, I was facing him, he was  
5 facing north. So, his right shoulder was facing me and I saw the  
6 knife. But after that, that's my first depiction, and that image  
7 will probably be burned in my brain forever. He's moving around  
8 after that.

9           INV. AULET:       Are you saying he's facing north because of  
10 his continuum movement when he swiped at you the first time?

11          OFC. TIFFE:       I don't know what caused him to be that  
12 way, but yeah, he's really close to me, the knife is in the air,  
13 I see it. When I first see the knife, now things have really  
14 slowed down, so I can't really testify to accurate time. Right?  
15 So, I have this burning image of him facing northbound with the  
16 knife in the air, and then from that moment on, he's moving  
17 around and things are happening.

18          INV. AULET:       And before that slowing down in your mind,  
19 had you seen where your partner was?

20          OFC. TIFFE:       No.

21          INV. AULET:       At which point...

22          OFC. TIFFE:       Well, I knew when we approached, but when I  
23 started the struggle with Amilcar, I didn't know, I just  
24 believed my partner was there. It wasn't a thought that came in  
25 my mind, I had my own thing going on. So, I do know, because  
26 we've been partners so long. I felt his presence at some point,  
27 prior to pulling my weapon, and I hear him too, but I don't know  
28 where he is. I'm focused on Amilcar, but I know that he is north

1 of me, so to my right.

2 INV. AULET: On the sidewalk?

3 OFC. TIFFE: Yes.

4 INV. AULET: And what was it that you heard him saying,  
5 your partner?

6 OFC. TIFFE: At some point I heard him say, "Drop the  
7 knife." And it's to this day, I know, "Drop the knife, I'll  
8 shoot." I heard that and I don't know if that was my voice, I  
9 don't know if it was his. I know I was yelling. I believe I  
10 heard my partner yelling. So, at what point, I mean, I don't  
11 know.

12 INV. AULET: Was there anything else you were thinking  
13 at that time, when you already had your weapon drawn, and you  
14 see him facing north?

15 OFC. TIFFE: There's a lot of things going on in my head  
16 right there. I can spend quite a bit of time.

17 INV. AULET: Yeah, tell me.

18 OFC. TIFFE: Well, one. One thing going through my mind  
19 is what I'm responding to. I'm responding to one man chasing  
20 another with a knife, a violent felon. I'm thinking he's trying  
21 to kill someone. Now, he's just trying to kill me. So, I'm  
22 thinking this guy's full-blown, going to go through with it. But  
23 there's the human side of me. All I remember thinking is, "God,  
24 please make him drop the knife. I don't want to shoot." And even  
25 when I hear shots, and then he's moving around, it was strange.  
26 The movies will never get that right. I still didn't want to,  
27 and I'm like, "Please." I didn't understand.

28 Like I said, all this was a matter of seconds, but in my

1 mind, it was ten minutes. And in my mind, I'm having this  
2 conversation with the Higher Power, or God, or however you want  
3 to say. Like, "Why? Why is this happening? Why can't you make  
4 him drop the knife?" And then, as he moves around, the knife is  
5 flowing in the air, I cannot describe how it was. Right? I see  
6 him go to the, he's like near the front of the blue car. He  
7 looks down at something, which I'm thinking, that's where the  
8 other guy was. "Uh, my God," I see the knife come up, and that's  
9 when I pulled the trigger.

10 INV. AULET: Do you remember doing it just once?

11 OFC. TIFFE: Yes.

12 INV. AULET: And as he's moving from where he swiped at  
13 you and faced north, in the time that you see him looking down,  
14 that you described as the front bumper of the blue Nissan, or  
15 actually in-between the two cars?

16 OFC. TIFFE: I can't recall. Like I said, he moved so  
17 much. I know he was near the front of the car when I pulled the  
18 trigger.

19 INV. AULET: So, you're not sure whether he's on the  
20 curb, down the street, or in-between the cars?

21 OFC. TIFFE: No, no, no, no, no. I'm sorry. He was  
22 definitely not on the curb. So, some portion in front of the  
23 car. Was he in the street? I don't know. He was definitely near  
24 driver's side, front bumper area.

25 INV. AULET: Okay. Before that, when he is, when you  
26 first see him facing north, and you don't know whether it was  
27 his momentum, as I described earlier, was there anything that  
28 you saw in that trajectory between him and your partner?

1           OFC. TIFFE:       What do you mean, his trajectory?

2           INV. AULET:       Between the time that he misses, swiping at

3 you, facing north.

4           OFC. TIFFE:       Uh-huh?

5           INV. AULET:       And the time that you actually shoot, when

6 you are saying he is where you [didn't] describe where he was.

7 Was there anything else that you saw between him and your

8 partner happen?

9           OFC. TIFFE:       Like people? Are you asking... what do you

10 mean?

11          INV. AULET:       Could you see your partner to your right,

12 on the sidewalk?

13          OFC. TIFFE:       Yeah, at some point I saw my partner. But I

14 wasn't, I see him in peripheral, like I didn't look. Like I just

15 made a looking motion at Mister Whelan. I didn't like look at

16 him, but I, you know, just like I'm looking at you right now,

17 and Mister Whelan is sitting to my right, I see in my

18 peripheral. At some point I saw my partner, yes.

19          INV. AULET:       And was there anything in particular that

20 you saw Amilcar doing towards your partner?

21          OFC. TIFFE:       I initially saw, very early on, before the

22 shots, yeah, I saw Amilcar swipe with the knife in my partner's

23 direction. And the knife moved, you know, from that point on, it

24 was moving around.

25          INV. AULET:       Was it similar to the movement he made

26 toward you?

27          OFC. TIFFE:       No. I think mine was an anomaly, because I

28 had bent Amilcar up. I think there's a difference. If I'm

1 standing upright, and I'm like slashing with the knife, as far  
2 as, and lunging with a knife, I think is a different type of  
3 movement. I think what Amilcar did towards me, I would describe  
4 it maybe wrongfully doing so, but a lunge. Like a stabbing  
5 motion, where as in, I think, with what I saw Amilcar doing  
6 henceforth, after I pulled my weapon, was like a slash.

7 INV. AULET: And did you see your partner, Officer  
8 Reboli standing back at any time on the sidewalk?

9 OFC. TIFFE: It was a lot of movement going on. I wasn't  
10 looking, I was focused on the knife.

11 INV. AULET: Can you tell me whether your partner was  
12 moving north, as if he was moving back and away, as Amilcar was  
13 moving forward in the north direction?

14 OFC. TIFFE: No. I can't testify any type of movement my  
15 partner was making, because I wasn't, as I described, I can see  
16 him at different intervals in and out of my peripheral, but I'm  
17 so focused on the knife. Like sitting here in a non-stressful  
18 situation, I can't tell you everything that Mister Whelan is  
19 doing.

20 INV. AULET: Okay.

21 OFC. TIFFE: You know? And that's kind of how I see my  
22 partner. He comes into view, he was out of view. There's a lot  
23 of motion going on, and I kind of have somewhat a tunnel vision.  
24 I'm even, now my stressors are up, so I don't have the luxury of  
25 what I have right now. I'm just, I see a large knife, and that's  
26 what can do damage, and so, that's what I'm looking at.

27 INV. AULET: And speaking about those emotions, once you  
28 have your weapon out, were you committed to shoot, or were you

1 still thinking, "God, let him drop that knife," so that you  
2 wouldn't have to shoot him?

3 OFC. TIFFE: I think I described it pretty well. I  
4 didn't want to shoot, Mister Aulet.

5 INV. AULET: But you didn't know where [REDACTED] was on  
6 the other side of the car?

7 OFC. TIFFE: I did not know, yes.

8 INV. AULET: Okay.

9 OFC. TIFFE: And as I also tried to describe to you,  
10 responded to a call. One person's chasing the other with a  
11 knife. Have I been to that call in the Mission several times?  
12 Yes. Have there been times where it's been legit? Yes. Have  
13 there been times where there was not even a knife involved and  
14 it was a stick? Yes. But this played out differently. This  
15 played out that someone was intent. Some by passer called and  
16 described an event taking place. I get there, it's settled, then  
17 it escalates again. It escalates to the point where that knife  
18 is now tried to come at me. And then we're giving, when we're  
19 saying, "Drop the knife. Shoot," the knife is still flowing and  
20 danger. Right?

21 When I heard shots, I heard shots. I didn't see him fall  
22 like you would think. I've never been in an officer involved  
23 shooting. I know in the movies, when you shoot someone, they  
24 fall. It didn't happen here, he kept moving. And at some point,  
25 now he's in front of the car, he's in the area that I last saw  
26 the other person, right, and the knife came in the air. I  
27 believe he was intent to finish what he started, this whole  
28 chain of events. So, that led me to pull the trigger.

1 Up until that point, I debated. I didn't want to. And you  
2 can even say maybe I was scared to, you know? I signed up this  
3 job to do a job, and to preserve life, serve the community,  
4 protect property, all these things, but until you're faced with  
5 certain things, those are difficult things to do. To take a  
6 life, you know? That wasn't my intent. My intent was to end the  
7 threat, but it obviously, when bullets fly, they do damage, and  
8 that's always a possibility. So, I had to live with it, and that  
9 action to live with it is, I believe, that he was intent on  
10 taking out what he was focused on. And though I did not see that  
11 subject, I believed he was there, because that's his last  
12 location, and Amilcar was focused on something, when that knife  
13 came up the last time.

14 INV. AULET: Given what you just said right now, this  
15 lengthy description of where he was when you decided to make  
16 that final decision to pull the trigger, did you feel that at  
17 that point, that your partner was no longer in danger? That  
18 Amilcar had already passed him and he was in another direction?

19 OFC. TIFFE: No. I think that everyone was in danger.  
20 You had someone... Another thing I didn't know is if the shots  
21 missed, because once again, we grew up in this TV world, and  
22 when people shoot, they fall. I heard shots, and thought it's  
23 weird, because in my mind it's like ten minutes, but in reality,  
24 it's a matter of seconds. So, that's probably why the way it was  
25 maybe? I don't know. But he's moving. You have someone with a  
26 knife, they can close the distance rather quickly. So, I didn't  
27 know if my partner missed, and now I have this person running  
28 around with a knife. So, he's still within, I don't know, seven

1 feet of me, or I don't know, maybe even less. He's seven feet of  
2 my partner approximate, because I don't know exactly where he  
3 is. I think we're all still in danger.

4 INV. AULET: He, you're meaning [REDACTED]?

5 OFC. TIFFE: I'm sorry, Amilcar. Amilcar has the knife.  
6 He's, I don't know if my partner missed him, he's moving. That's  
7 what I'm trying to say.

8 INV. AULET: You didn't know whether he was going to  
9 turn back from where he was moving?

10 OFC. TIFFE: Yeah, correct. I was already, I believed I  
11 was already attacked. He took a slash in my partner's direction.  
12 I think that he was intent on attacking [REDACTED]. If I didn't  
13 shoot, could he have attacked [REDACTED]? Came back around,  
14 finished off my partner and I as we changed magazines, that  
15 could happen. So, I'm not willing to rule out my partner was  
16 safe at that moment. No one was safe, the threat existed. He had  
17 the knife, he was moving. I didn't know if he was hit or not.

18 INV. AULET: You recall describing that after you saw  
19 Amilcar fall to the ground and was not moving, that you felt  
20 like everything was moving in slow motion?

21 OFC. TIFFE: Yes.

22 INV. AULET: So, your slow motion, in your mind, was  
23 actually shortly after you drew your weapon, now when Amilcar  
24 fell to the ground. Correct?

25 OFC. TIFFE: In both times, yeah.

26 INV. AULET: Okay.

27 OFC. TIFFE: In both times, until I, you know, like I  
28 tried to say out of body experience. That's probably like an



1 exaggeration of what it felt like. It's just when time slows  
2 down, it's just so weird of a feeling. And I think the time  
3 slowed down from the moment I...I can't even say when. At some  
4 point, it could have been when Amilcar attacked me. It could  
5 have been when my, you know, obviously when my gun was out. I  
6 described it, because I'm having these conversations in my head.

7 INV. AULET: Okay. And was [REDACTED] to the right on the  
8 sidewalk as you passed, to take a look at Amilcar on the ground  
9 in-between the two cars?

10 OFC. TIFFE: I only saw [REDACTED] after the shooting,  
11 really briefly. I believe like he was in the street, hovered  
12 down near the rear of the car.

13 INV. AULET: So, he was not on the sidewalk as you  
14 passed by?

15 OFC. TIFFE: I don't remember seeing him on the  
16 sidewalk. I could have like later that night. I wasn't there  
17 very much long after. Could I have passed him and not even saw?  
18 Yeah, I could have.

19 INV. AULET: And when you went to look at [REDACTED] in-  
20 between the two cars to notice that he was not moving, did you  
21 see when Officer Reboli handcuffed Amilcar behind his back?

22 OFC. TIFFE: I think at some point, I see. My memory is  
23 kind of [joggled]. I see at some point, I don't know when I did.  
24 After the incident, I look over, I see he's lying there. I try  
25 to get on the radio. I try to broadcast, I think, and go on the  
26 radio. And then some other events happened, so you know.

27 INV. AULET: All I'm trying to figure out is, if instead  
28 of going forward, north, I make a left in-between the two cars.

1 When you saw that he was not moving, whether you had instead  
2 gone behind the vehicle, go by the driver's side by the street,  
3 saw [REDACTED] down on the ground by the [rear side], as you  
4 described, and then continued forward to see that Amilcar was  
5 not moving. Can you tell me which of the two sides of the car  
6 that you...

7 OFC. TIFFE: I don't even know. I understand your  
8 question. Yeah, I don't know. I was on the sidewalk and I tried  
9 to broadcast on the radio. I can see Amilcar lying down, and  
10 then I don't really know too many of my movements from there  
11 that I remember.

12 INV. AULET: To that, is it correct that you moved  
13 forward?

14 OFC. TIFFE: I could have, I don't recall.

15 INV. AULET: From the sidewalk to see in-between the two  
16 cars?

17 OFC. TIFFE: I may have already been there, I may have  
18 moved. I don't recall my movements, so sorry, I can't help  
19 there.

20 INV. AULET: And did you get on the air after both of  
21 your discharges, meaning you and your partner's?

22 OFC. TIFFE: I attempted to.

23 INV. AULET: Tell me about it.

24 OFC. TIFFE: There was a lot of radio traffic.

25 INV. AULET: Did you feel an obligation to go on the  
26 air, to broadcast that shots were fired?

27 OFC. TIFFE: Yes.

28 INV. AULET: Was it possible that you instead, heard

1 Officer Domonique Ellis and Joshua Cabillo broadcast, "Shots  
2 fired"?

3       OFC. TIFFE:       I know I attempted to get on the air. I  
4 remember thinking at the moment, I thought that I was  
5 unsuccessful, and then I had a weird experience with my radio.  
6 So, I don't know if I was successful. I keyed my mic and I tried  
7 to get some words out. I know I tried to say shots fired, after  
8 that, I don't know what I tried to say, and then I remember  
9 thinking like, "What's going on with my radio?" I looked down  
10 and I see a radio on the floor.

11       INV. AULET:       Where?

12       OFC. TIFFE:       So, when I'm standing. I'm standing, I'm  
13 trying to broadcast.

14       INV. AULET:       Are you standing on the sidewalk or on the  
15 street at that point?

16       OFC. TIFFE:       I'm on the sidewalk, and I'm trying to  
17 broadcast, and at some point, I see a radio on the ground. I  
18 later learned, I thought that at some point, initially, I  
19 remember thinking right there that I think maybe Amilcar, in the  
20 process of trying to stab me, did he cut my cord? That was just  
21 a weird thing that I thought, because it was not the case. It  
22 was actually Officer Reboli's radio that during this...I later  
23 learned it was Officer Reboli's radio. During the scuffle, it  
24 fell out. But in the moment, I remember thinking, "Why is my  
25 radio on the ground?" because my stress level is so high.

26       INV. AULET:       Is that what you grabbed? The mic that was  
27 on the floor?

28       OFC. TIFFE:       No, no, no. No, no, no. So, I grabbed my

1 mic, and my radio was on my person, but when I'm keying..  
2 INV. AULET: Okay. Let me stop you for a second. Let's  
3 start from, where was your radio? Because you were pictured  
4 numerous times, and your radio on picture 101, shows that it's  
5 on your rear pants pocket, and your mic is on your left front  
6 pocket. Is that how your PIC radio was when you were out of the  
7 car?  
8 OFC. TIFFE: Yes.  
9 INV. AULET: Okay. So, you grabbed it with your left  
10 hand or your right hand to key it in?  
11 OFC. TIFFE: I don't remember what hand I grabbed it.  
12 INV. AULET: Do you recall reholstering your weapon?  
13 OFC. TIFFE: Yes.  
14 INV. AULET: And did you do that before or after you  
15 tried to key in the mic?  
16 OFC. TIFFE: Before.  
17 INV. AULET: Okay. And with what, with which hand do you  
18 usually transmit, when you want to broadcast from your PIC  
19 radio?  
20 OFC. TIFFE: Usually, it's left hand.  
21 INV. AULET: Okay. And so, did you pull it forward with  
22 your left hand when you grabbed your mic, to come up to the  
23 [unintelligible]?  
24 OFC. TIFFE: I don't know. All I know is I brought the  
25 mic to my mouth, and I tried to, and I keyed the mic, and I  
26 tried to broadcast.  
27 INV. AULET: And what makes you think that it was not  
28 broadcasting?

1           OFC. TIFFE:       There's like, when you have multiple people  
2 on the air, there's like a, I don't even know. It's like the new  
3 radios, it's not even a sound. It's like, I don't know. It's  
4 kind of like a dead tone. I don't even know how to describe it.

5           INV. AULET:       But that's because we have to wait until  
6 you transmit. Correct?

7           OFC. TIFFE:       Yeah.

8           INV. AULET:       Do you think you were so anxious and  
9 nervous and shocked that you grabbed it like the old ones, and  
10 went to transmit right away, rather than waiting that second  
11 that keys in for you to speak?

12          OFC. TIFFE:       It's tough to say. That's a very good  
13 question, and it's a possibility.

14          INV. AULET:       Yeah. But why is it that you think it did  
15 not broadcast? Do you typically hear yourself in other radios  
16 nearby?

17          OFC. TIFFE:       Well, yeah, if there's other radios nearby  
18 you would, and like their mic is exposed, you would hear. But  
19 there wasn't no one near me.

20          INV. AULET:       Except the radio from Officer Reboli that  
21 was in front of you on the sidewalk?

22          OFC. TIFFE:       Yes.

23          INV. AULET:       And that's not just one part, but both  
24 parts together?

25          OFC. TIFFE:       His radio did not have, as you see in the  
26 picture right there, that picture shows a mic attached to a cord  
27 that goes to the radio.

28          INV. AULET:       For the record, 101. Go ahead.

1           OFC. TIFFE:        Okay, yeah. His radio, now you can take off  
2 the mic and the cord, and you can use it as a handheld. So, what  
3 I was looking at was a handheld.

4           INV. AULET:       So, his mic was disconnected from his PIC  
5 radio?

6           OFC. TIFFE:       Yes.

7           INV. AULET:       I see, okay. So, what did you do once you  
8 saw it on the ground?

9           OFC. TIFFE:       I just remember thinking like, "Uh, my God.  
10 That's, why is my radio on the ground?" And then I patted myself  
11 down, like, "Uh, that's not my radio." It was just like a quick  
12 thing I did. Like, "Uh, that's not my radio," and then I just  
13 kind of moved on.

14          INV. AULET:       So, your PIC radio microphone, in fact, was  
15 not disconnected?

16          OFC. TIFFE:       Correct. It's just some weird thought that  
17 came in my head.

18          INV. AULET:       And what did you see Officer Reboli do  
19 after the discharges?

20          OFC. TIFFE:       You can hear sirens, officers are arriving  
21 on-scene. He went to the middle of the street. He was, you know,  
22 he was like, we were trying to focus each other. He looked a  
23 little surprised. I don't know if he was surprised to see me,  
24 whatnot, but he was like, "Put it on the radio. Put it on the  
25 radio." And then I tried to put it on the radio, then my focus  
26 was on putting it on the radio. I was trying to, I looked up, I  
27 was trying to get the exact address. So, I really wasn't paying  
28 attention to him. I'm looking for the exact address. I was, I

1 know I said shots fired while looking for the address, and then  
2 I remember like officers getting on the air, and calling things  
3 out. I'm like, okay, now I can just stop. I remember hearing,  
4 "Blue on blue," right? And blue on blue is basically other  
5 officers, letting them, you know, watch where your muzzle is  
6 pointed. You don't want to point it at another officer. Right?  
7 So I heard that.

8 INV. AULET: And did you hear that before or after you  
9 saw Officer Joshua Cabillo on-scene?

10 OFC. TIFFE: I heard that pretty early on. So, I don't  
11 think I had seen anyone at that point. I could be mistaken, but  
12 I don't think I seen anyone prior to that. Or I might have saw  
13 someone across the street. I do have a memory of an officer  
14 across the street, right, arriving on-scene. I just don't, I  
15 can't tell you at what point. Did I see that person before I  
16 heard blue on blue or after?

17 INV. AULET: Was it the female voice of Officer Ellis,  
18 the one you heard saying that, "Blue on blue"?

19 OFC. TIFFE: I don't recall like if it was a male or  
20 female.

21 INV. AULET: And when you actually made contact with  
22 those people who were across the street, on the west sidewalk of  
23 Folsom, was it Joshua Cabillo?

24 OFC. TIFFE: The only officers...there was a lot of  
25 officers there. The only ones that will stand out in my mind was  
26 Officer Josh Cabillo, Officer Joe Obidi. I remember seeing  
27 Officer Mike Mayo from a distance, and then the person who  
28 transported me obviously, and then Sergeant Montoya.

1           INV. AULET:       Those were the only four people you can  
2 actually visualize today?

3           OFC. TIFFE:       Yes.

4           INV. AULET:       Okay.

5           OFC. TIFFE:       Like I know there's a lot of officers  
6 there, but one, you have to realize, I was taken away rather  
7 quickly.

8           INV. AULET:       How quickly after?

9           OFC. TIFFE:       Like for example, I told an officer, "Put  
10 up some crime scene tape." To this day, I don't even know who I  
11 said that to.

12          INV. AULET:       All right.

13          OFC. TIFFE:       And it could be someone that I know every  
14 day.

15          INV. AULET:       I just want to take you slowly.

16          OFC. TIFFE:       Uh-huh.

17          INV. AULET:       From the moment you heard, "blue on blue,"  
18 because I recognize what you're going through, but I want to  
19 distinguish what you can help me happening from that point  
20 forward.

21          OFC. TIFFE:       Okay.

22          INV. AULET:       So, after hearing, "blue on blue," did you  
23 or did you not see Officer Cabillo across the street?

24          OFC. TIFFE:       Yeah. I don't remember seeing Officer  
25 Cabillo across the street. Like I said, I seen an officer, but I  
26 don't remember who that was.

27          INV. AULET:       Okay.

28          OFC. TIFFE:       It could have been him.



1           INV. AULET:        So, Officer Cabillo moved into the middle  
2 of the street, where he described both you and your partner  
3 standing over the subject with your weapons out. Did you see  
4 Officer Cabillo calling out at both of you, and asking you,  
5 "What happened?"

6           OFC. TIFFE:        I do have a vague memory. I don't remember  
7 what happened. I just remember, I want to say, "Are you okay?"  
8 But I can't really testify. Now that you say that, I did not  
9 remember it on my own. I do remember like him saying something.

10          INV. AULET:        Did you or your partner respond to him?

11          OFC. TIFFE:        Yeah, I don't remember.

12          INV. AULET:        Okay.

13          OFC. TIFFE:        If it was, it wasn't like, "Tell me what  
14 happened," li I gave details. It would be more like, "Are you  
15 okay?" And I might have said, "Yeah, I'm okay." Or "Were you  
16 involved?" I might have said, "Yeah, I'm involved."

17          INV. AULET:        But you don't have a specific recollection  
18 of this, do you?

19          OFC. TIFFE:        I don't, no. And whatever, I only remember  
20 it because you said it, and then I remember him saying  
21 something, and it's just like very vague and very basic. It's  
22 not, you know, it's not nothing of importance, that's why I  
23 don't...or even if it was, for some reason, I just don't remember.

24          INV. AULET:        Well, he doesn't remember you or your  
25 partner responding, just both of you had a stare look, like in  
26 shock. But you said to Homicide and you remember, like you  
27 remember here today, telling someone to put up some crime scene  
28 tape, but you don't remember who.

1           OFC. TIFFE:       No.

2           INV. AULET:       And that's just protocol, not that

3 important to any of us, but it's something you knew was supposed

4 to happen.

5           OFC. TIFFE:       Yeah.

6           INV. AULET:       Okay. Was it possibly Officer Cabillo that

7 you were addressing, even though you don't recognize him asking

8 both of you?

9           OFC. TIFFE:       As far as telling him to put up the crime

10 scene tape?

11          INV. AULET:       To put up the crime scene tape.

12          OFC. TIFFE:       I couldn't say. I don't think so.

13          INV. AULET:       Yeah. Did you see any officer giving CPR to

14 Amilcar?

15          OFC. TIFFE:       I did, yes.

16          INV. AULET:       Was that Officer Joseph Obidi?

17          OFC. TIFFE:       I believe, I believe so.

18          INV. AULET:       And at that point, were you in the middle

19 of the street?

20          OFC. TIFFE:       I was somewhere in the street, I don't

21 really remember where.

22          INV. AULET:       And you indicated that your partner was

23 also in the middle of the street?

24          OFC. TIFFE:       Yes.

25          INV. AULET:       And is that when you were able to

26 distinguish where [REDACTED] was?

27          OFC. TIFFE:       That's hard to say, I don't remember at

28 what point where he was.

1           INV. AULET:       Did Amilcar Perez-Lopez, did he drop the  
2 knife before your discharges?

3           OFC. TIFFE:       Absolutely not.

4           INV. AULET:       Was Amilcar in-between the two parked cars  
5 when you saw that he was not moving?

6           ATTY WHELAN:     You mean not moving on the ground? Do you  
7 understand the question?

8           OFC. TIFFE:       Well, in-between the two cars is kind of  
9 vague. I think a part of his portion was, but I think some of it  
10 was, some part of him was in the street to.

11          INV. AULET:       Does SFPD CSI picture 39 accurately depict  
12 the location where you saw Amilcar drop to the ground?

13          OFC. TIFFE:       Yes.

14          INV. AULET:       And where did you see the knife in relation  
15 to the body of Amilcar, if you saw it?

16          ATTY WHELAN:     When? At what point in time?

17          OFC. TIFFE:       Yeah, if you can just...

18          INV. AULET:       At the time that you went and you  
19 discovered that he was not moving.

20          OFC. TIFFE:       So, the first and only time I saw the  
21 knife, after the fact, when he was moving around with it, it was  
22 in the street just a little bit from him.

23          INV. AULET:       And you mentioned Officer Michael Mayo  
24 earlier. Did you see Officer Mayo near Officer Obidi when you  
25 say Officer Obidi applying chest compressions on Amilcar?

26          OFC. TIFFE:       When I did? No, I didn't see.

27          INV. AULET:       What did you see Officer Mayo doing, if you  
28 in fact, saw him on-scene?

1           OFC. TIFFE:        I just saw him in the distance. I want to  
2 say, I couldn't say, I couldn't attest to what he was doing. I  
3 believed that he was canvassing for witnesses. I saw a lot of  
4 officers moving about, and I only can say that because I know  
5 what happens at crime scenes, because I've been to a million.

6           INV. AULET:       Okay. Earlier you said that you were taken  
7 away rather quickly.

8           OFC. TIFFE:       Yes.

9           INV. AULET:       What did you mean by that?

10          OFC. TIFFE:       So, relatively quickly, Sergeant Montoya  
11 came on-scene. He's taking charge, and he asked if we were  
12 involved, and then he asked, you know, the public safety  
13 questions, "Did you shoot?" "Yes, I did." "What direction?"

14          INV. AULET:       Where did he take your public safety  
15 statement, if he was the one who took you quickly away?

16          OFC. TIFFE:       Just away from everyone, all on-scene.

17          INV. AULET:       Was it on the west sidewalk that he took  
18 you?

19          OFC. TIFFE:       I don't recall if I was on the sidewalk or  
20 in the street, he just pulled us aside. I want to say, I don't  
21 even remember if he, I'm pretty sure he asked me individually.  
22 Right? And then he just told me, "Hey, just wait, wait here. I'm  
23 going to get someone to take you back to the station." I said  
24 okay.

25          INV. AULET:       So, you don't know whether it was on the  
26 same sidewalk where you first saw, from where you saw Amilcar on  
27 the ground, which is the east sidewalk, whether he took you away  
28 to the west sidewalk or to the same sidewalk? You can't tell me

1 | which side of the street you were taken to?

2 |       OFC. TIFFE:       I don't recall being on the west sidewalk  
3 | at all.

4 |       INV. AULET:       Okay.

5 |       OFC. TIFFE:       It was so long ago, but no memory do I have  
6 | of me being on the west sidewalk.

7 |       INV. AULET:       And when Sergeant Montoya asked you in what  
8 | direction did you shoot, what did you say, and how did you  
9 | simulate that direction, so that he would understand the  
10 | direction that you discharged?

11 |       OFC. TIFFE:       I don't recall what words I used. He asked  
12 | me if I shot, I said I did. I don't remember all of the  
13 | questions he asked, but direction being one. I said, I probably  
14 | just pointed there. I said I was over here, and I pointed in  
15 | that direction, because I wanted him to be sure. At the  
16 | time...[I'm] sitting in a non-stressful situation right now, I can  
17 | tell you I shot in the direction of west, but I don't know if I  
18 | would have been able to do that in that moment. So, I just know  
19 | I articulated in some way, I was over here and I shot in that  
20 | direction, because I know why that question is asked, so I knew  
21 | it was a very important question, and it's a very important  
22 | answer. I just don't know how I described to him.

23 |       INV. AULET:       Do you remember moving back onto the east  
24 | sidewalk so that Sergeant Montoya would understand which  
25 | direction you were referring to when you were simulating or  
26 | pointing to?

27 |       OFC. TIFFE:       My time with Sergeant Montoya very, very  
28 | vague in my mind. So, if he would have done that, I don't

1 remember doing that. I just, I can only imagine that I probably  
2 wasn't very good at answering his questions in that moment, so I  
3 can see him doing that. But I don't remember that.

4 INV. AULET: And it is your recollection that very  
5 shortly after completing your public safety statement answers  
6 that you were taken away to the station, or was there something  
7 else that happened before you were taken away?

8 OFC. TIFFE: Briefly after that, he told me to go wait  
9 and he...

10 INV. AULET: He, meaning Sergeant Montoya?

11 OFC. TIFFE: Yeah. Sergeant Montoya said either...I don't  
12 know. I can't verbatim, I can't say. Basically, he's like, "I  
13 need to get you to the station. You guys will be driven  
14 separately." He just explained me the process, and I waited a  
15 very brief amount of time, and then I was taken away; an officer  
16 drove me.

17 INV. AULET: Did Sergeant Montoya separate from you  
18 during that brief moment of time, before someone came over to  
19 get you?

20 OFC. TIFFE: Did he separate?

21 INV. AULET: Physically, yes.

22 OFC. TIFFE: I don't, like he had to move me? Is that  
23 what you're asking?

24 INV. AULET: No. Did he separate from you physically?

25 OFC. TIFFE: Uh, sorry. Sorry.

26 INV. AULET: Before someone else came over to get you to  
27 sequester you?

28 OFC. TIFFE: I don't remember. I don't remember if he

1 | just stayed there and he got on the radio or... Yeah, sorry. I  
2 | don't remember.

3 |       INV. AULET:       Do you know the officer who transported you  
4 | to the station?

5 |       OFC. TIFFE:       I can picture his face. He has a hyphenated  
6 | name, and it's...yeah. Even if I saw it in front of me, I, if  
7 | somebody pronounced it, I would know what it was, but I don't  
8 | think I would even be able to pronounce it.

9 |       INV. AULET:       Did you hear Sergeant Montoya give any  
10 | commands to any officers to transport you or your partner to the  
11 | station?

12 |       OFC. TIFFE:       I could have, it doesn't stand out in my  
13 | memory.

14 |       INV. AULET:       Do you know Sergeant Michael Petuya?

15 |       OFC. TIFFE:       I do know Sergeant Michael Petuya.

16 |       INV. AULET:       Did you see him on-scene?

17 |       OFC. TIFFE:       I did not. I don't remember seeing him. He  
18 | could have been there, and I might have saw him, but I don't  
19 | think I had any interaction with him.

20 |       INV. AULET:       Did you hear Sergeant Petuya give direction  
21 | to two officers to transport you or your partner to the station?

22 |       OFC. TIFFE:       No, I don't know [inaudible].

23 |       INV. AULET:       So, you have no recollection of hearing any  
24 | sergeant giving any officers directions to sequester both of  
25 | you. Is that what I hear?

26 |       OFC. TIFFE:       Yeah. I don't recall that.

27 |       INV. AULET:       What happened with your unmarked silver  
28 | Crown Victoria?

1           OFC. TIFFE:        I'm not sure.

2           INV. AULET:       Was it left double-parked in the northbound  
3 direction, somewhere behind the blue Nissan?

4           ATTY WHELAN:      He wouldn't know, he left the scene.

5           OFC. TIFFE:       Yeah.

6           ATTY WHELAN:      Too quickly.

7           OFC. TIFFE:       Yeah, I don't know what happened.

8           ATTY WHELAN:      Unless you know, unless somebody told you  
9 later, or you saw it later.

10          INV. AULET:       We're going to get into that. So, according  
11 to your statement to Homicide, you said that your vehicle was  
12 parked with plenty of distance behind there. Meaning, the car  
13 that both subjects used to separate from each other and your  
14 vehicle. Now, Officer Silvestri transported your partner,  
15 Officer Reboli, from the scene back to Mission Station, in  
16 marked radio car BW051. Do you know if that's correct?

17          OFC. TIFFE:       I have no idea.

18          INV. AULET:       Did you see your partner getting into a  
19 marked vehicle?

20          OFC. TIFFE:       No.

21          INV. AULET:       Officer Lewin-Tankel is the one who  
22 transported you from Folsom back to the station.

23          OFC. TIFFE:       Yes.

24          INV. AULET:       Is that correct?

25          OFC. TIFFE:       Yes.

26          INV. AULET:       Okay. In which vehicle were you transported  
27 to the station?

28          OFC. TIFFE:       I don't remember.



1 INV. AULET: Was it a marked vehicle?

2 OFC. TIFFE: It could have been.

3 INV. AULET: Could it, could it have been your unmarked  
4 vehicle?

5 OFC. TIFFE: Uh, I guess it's a possibility, I don't  
6 know. I don't remember.

7 INV. AULET: Do you remember being in the front seat or  
8 the back seat of that car, whichever was it that transported you  
9 to the station?

10 OFC. TIFFE: I was, when I was transported, I was  
11 sitting in the front seat. Whatever car I was in, I was in the  
12 front seat.

13 INV. AULET: And you didn't recognize it as your  
14 unmarked vehicle?

15 ATTY WHELAN: He's answered that question a few times  
16 already.

17 OFC. TIFFE: Yeah, I had so much going on in my head, I  
18 didn't...

19 INV. AULET: Did you have any conversation with Officer  
20 Lewin-Tankel while you were being transported to the station?

21 OFC. TIFFE: I don't think I had any conversation with  
22 him.

23 INV. AULET: Did Officer Lewin-Tankel kept you from  
24 coming in contact with any witnesses or officers until CSI  
25 Officer Nibungco arrived with Officer Shakur to photograph you?

26 OFC. TIFFE: Yeah, he stayed with me.

27 INV. AULET: And did he prevent you from coming in  
28 contact with other officers while you were in the station? Yes

1 or no?

2       OFC. TIFFE:       Yes, yes.

3       INV. AULET:       Okay. Pictures 99, 100, 101, 102, 103, 104,

4 105, 106, seem to all be in the same location. It looks like you

5 were just moved around, if you can look at them. Were you

6 sequestered in the sergeant's office?

7       OFC. TIFFE:       No. I was...where was I at? I'm pretty sure

8 that I'm, I thought that I was in the DUI room. So, if you're

9 familiar with Mission Station?

10      INV. AULET:       Where the involuntary blood draw is done?

11      OFC. TIFFE:       Yes.

12      INV. AULET:       Okay.

13      OFC. TIFFE:       I'm pretty sure that's where I was at.

14      INV. AULET:       All the time?

15      OFC. TIFFE:       Wherever I was at, I was there for man, a

16 long, long time.

17      INV. AULET:       Do you know Sergeant Anthony Ravano from

18 the Homicide Detail?

19      OFC. TIFFE:       I do, yes.

20      INV. AULET:       Did you hear Sergeant Ravano, or either of

21 the CSI officers at Mission Station photographing you, talking

22 about your unmarked vehicle while in the station?

23      OFC. TIFFE:       No.

24      INV. AULET:       Did anyone question you about your unmarked

25 vehicle?

26      OFC. TIFFE:       I don't recall if...

27      INV. AULET:       At the station?

28      OFC. TIFFE:       Yeah, at the station? I don't think so.

1           INV. AULET:       Did you tell anyone who moved your unmarked  
2 vehicle to Mission Station parking lot?

3           OFC. TIFFE:       Did I ask...are you saying if I asked anyone  
4 who moved it?

5           INV. AULET:       No. Please listen carefully. Did you tell  
6 anyone who had moved your unmarked vehicle to Mission Station  
7 parking lot?

8           ATTY WHELAN:      That, that's not a fair question. If you  
9 understand it, you can answer it.

10          OFC. TIFFE:       I don't, I don't remember making any  
11 inquiries about my car, my unmarked car.

12          INV. AULET:       Or if you knew then, telling who had moved  
13 your car to the station?

14          OFC. TIFFE:       I'm sorry. I don't understand what  
15 you're...I'm trying to be helpful, and I want to help like answer  
16 your questions. I just don't understand like what you're saying.

17          INV. AULET:       Your vehicle was photographed at Mission  
18 Station in the parking lot.

19          ATTY WHELAN:      When?

20          OFC. TIFFE:       Okay. I see that picture, so?

21          INV. AULET:       So, somehow it got from the crime scene to  
22 the Mission Station.

23          OFC. TIFFE:       Okay.

24          INV. AULET:       And when CSI was photographing it, the  
25 location of the crime scene, your vehicle wasn't there.

26          OFC. TIFFE:       Okay.

27          INV. AULET:       Do you see picture number ten?

28          OFC. TIFFE:       Yes.

1           INV. AULET:       It's not there. So, how did it get to the  
2 station? Do you know? Did you know? When you were in the  
3 station, did you know how it got from Point A to Point B? And  
4 that's why I phrased my question, did you tell anyone who had  
5 moved your unmarked vehicle to Mission Station parking lot?

6           OFC. TIFFE:       No. I don't, I didn't have a conversation  
7 about it. I don't recall any conversation about my car.

8           INV. AULET:       Okay. And that's why I asked earlier if it  
9 was possible that you were transported in your unmarked vehicle  
10 from the scene?

11          OFC. TIFFE:       Okay. Yeah, I understand why you asked  
12 that, but I...

13          INV. AULET:       So, I'm going to show you again picture  
14 113.

15          OFC. TIFFE:       Uh-huh.

16          INV. AULET:       So you can see where it is parked here.  
17 Despite what you were going through that morning, or that late  
18 evening, early morning, and does the location that this vehicle  
19 was parked, do you remember being...

20          ATTY WHELAN:      He can't tell where it's parked, and you're  
21 asking the same question over and over again, which is bordering  
22 on harassment.

23          INV. AULET:       Could you let me finish the question?

24          ATTY WHELAN:      You're asking the same question over and  
25 over again. Yes, sir. [Inaudible.]

26          INV. AULET:       So, by looking at pictures 113 and 114.

27          OFC. TIFFE:       Uh-huh?

28          INV. AULET:       Which shows another part of the vehicle and

1 a portion of the parking lot.

2       OFC. TIFFE:       Yes.

3       INV. AULET:       And 115, which shows another portion of the  
4 parking lot.

5       OFC. TIFFE:       Uh-huh?

6       INV. AULET:       Do you remember coming out of...and picture  
7 116, yet another side of the car and a portion of the parking  
8 lot, and 117. Do you recall coming out of that car when you  
9 arrived to Mission Station?

10       OFC. TIFFE:       Yeah. I don't recall what, I have no, I  
11 didn't take those pictures. I don't, that does look like Mission  
12 Station. I don't recall what car I was in. Those photos don't  
13 help me, to stir my memory. Like I was going through, you know,  
14 my own thing at that point.

15       INV. AULET:       Do you remember if the car that you came  
16 out of when you arrived to Mission Station, was parked in the  
17 parking lot?

18       OFC. TIFFE:       Yeah, they parked in the parking lot. Yes.  
19 So, he drove me to the parking lot, and we got out and we  
20 walked.

21       INV. AULET:       Through the sally port, through the front  
22 lobby, or through the rear office?

23       OFC. TIFFE:       I have no memory of how I entered Mission  
24 Station, but I can't see why I went into the sally port. We  
25 wouldn't enter the sally port area.

26       INV. AULET:       Because that is restricted for prisoners?

27       OFC. TIFFE:       Yes.

28       INV. AULET:       Do you remember you stating that you were a

1 long time in the station?

2       OFC. TIFFE:       Yeah, it felt like a long time.

3       ATTY WHELAN:     Do you mean just now?

4       INV. AULET:       A little while ago.

5       ATTY WHELAN:     Yeah, right.

6       INV. AULET:       Can you state what happened in the room you  
7 were in between 2210 hours and 0310 in the morning?

8       OFC. TIFFE:       A lot, a lot happened. I met Mister Whelan  
9 for the first time, you know, Command Staff came and checked on  
10 my well-being.

11      ATTY WHELAN:     The Chief came by.

12      OFC. TIFFE:       Yeah, Chief was there, asked if I was okay,  
13 if I needed anything. There's a CIRT member. When you go through  
14 any traumatic experience, they have a CIRT member. So, yeah,  
15 there was people checking on my well-being. At some point, I was  
16 taken back to the scene, right, so it wasn't the night I thought  
17 it was going to be. I thought it was going to be like a 24-hour  
18 night, but it was still quite a length of time.

19      INV. AULET:       Do you know why you returned to the crime  
20 scene?

21      OFC. TIFFE:       They wanted to do, I don't know what they  
22 call it.

23      INV. AULET:       Who is they?

24      OFC. TIFFE:       The Homicide investigators.

25      INV. AULET:       So, it was their idea to return to the  
26 scene?

27      OFC. TIFFE:       Yes.

28      INV. AULET:       And it was to do a walkthrough with you?

1           OFC. TIFFE:       Yes.

2           INV. AULET:       In the presence of your attorney?

3           OFC. TIFFE:       I believe Mister Whelan was there.

4           INV. AULET:       And was it Sergeant Ravano?

5           OFC. TIFFE:       I think it was Sergeant Ravano, yes.

6           INV. AULET:       Was it Sergeant Dedet, Daniel Dedet?

7           OFC. TIFFE:       Yes.

8           INV. AULET:       Was Sergeant Canning there too?

9           OFC. TIFFE:       I don't remember.

10          INV. AULET:       How about Sergeant Levy?

11          OFC. TIFFE:       I don't remember either. I know Sergeant

12 Canning. Could I have seen him that night? Maybe, I just don't

13 remember.

14          INV. AULET:       Was there a female also in that group that

15 returned with you to the crime scene?

16          OFC. TIFFE:       Maybe, I'm not sure.

17          INV. AULET:       Do you know Sergeant Mary Dunnigan?

18          OFC. TIFFE:       I know Sergeant Mary Dunnigan, yes.

19          INV. AULET:       Okay. She worked with BSU?

20          OFC. TIFFE:       I don't know where she's at now or if she

21 still does it, but for a long time, yeah. A lot of my career, my

22 thirteen-year career she's worked at BSU.

23          INV. AULET:       Do you remember if she was the one who

24 returned with you to the scene?

25          OFC. TIFFE:       I don't remember.

26          INV. AULET:       And when you went back to the scene, did

27 you see the knife on the ground by Amilcar?

28          OFC. TIFFE:       I don't remember if I did or not.

1           INV. AULET:       I'm coming back to the scene right after  
2 the shooting, seconds after the shooting.

3           OFC. TIFFE:       Uh-huh.

4           INV. AULET:       Picture number 37 has a marking, eight,  
5 with a manila envelope over something. It is the knife that you  
6 see. When you return to the scene, did you see this picture with  
7 an eight on the envelope, covering the knife?

8           OFC. TIFFE:       I know I was asked about, you know, you  
9 have those little, small cones? I was asked about some of the  
10 cones. I was asked about the bicycle. I don't remember  
11 specifically all the cones. Like I'll describe in that picture,  
12 there's a little, small, yellow cone with a number eight, what  
13 you're asking me about. I can't say specifically that I saw  
14 that. I was asked, "Was this a good depiction?" about certain  
15 things. Yeah, so I can't say for sure; I don't remember it for  
16 sure.

17          INV. AULET:       Were you asked about where the knife was  
18 when you saw Amilcar was no longer moving?

19          OFC. TIFFE:       I'm pretty sure I was asked, yeah.

20          INV. AULET:       And this picture, number 37, provides an  
21 accurate depiction of where you saw it at that time?

22          OFC. TIFFE:       So, you're asking me that now? Yes. From my  
23 memory of the incident, yes. From the memory of coming back to  
24 the scene, it is very, very vague. From my memory of the  
25 incident, that is a pretty fair estimation, yeah.

26          INV. AULET:       Okay. And right after the shooting, did you  
27 move the knife?

28          OFC. TIFFE:       I never touched the knife.



1           INV. AULET:       Did you see anyone moving the knife?

2           OFC. TIFFE:       I didn't see much of anything, but no, I

3 didn't see anyone move the knife.

4           INV. AULET:       Did you see anyone standing next to or

5 watching over the knife, after backup units began to arrive?

6           OFC. TIFFE:       No, I didn't. I didn't see, I didn't want

7 to stand there and look at that, to be honest. So, I went near

8 that direction, and my only, of being in the street, my only

9 memory is, I have a brief memory of Officer Cabillo dealing with

10 [REDACTED], and I have a brief memory of seeing Officer Obidi doing

11 CPR, and I didn't want to watch no more.

12          INV. AULET:       But you didn't see Michael Mayo standing

13 over the knife, like guarding it?

14          OFC. TIFFE:       Yeah, I didn't. I could have passed right

15 by him and didn't see him. I wasn't, I wanted to get out of

16 there.

17          INV. AULET:       Did anyone, while you were on-scene, before

18 Sergeant Montoya approached you, did you hear anyone say in your

19 presence that the knife had been moved?

20          OFC. TIFFE:       I don't, I didn't hear anything like that.

21          INV. AULET:       Other than Officer Obidi, did you see

22 anyone else handling the body?

23          OFC. TIFFE:       I have a brief memory of seeing, you know,

24 like Officer Reboli initially.

25          INV. AULET:       Handcuffing him?

26          OFC. TIFFE:       Handcuffing him, and then I think I saw

27 Officer Obidi doing CPR, and then I didn't want to see no more.

28          INV. AULET:       Okay. So, you never saw the medics arrive?

1           OFC. TIFFE:       No.

2           INV. AULET:       Do you believe that you left before they  
3 did?

4           OFC. TIFFE:       Until you asked it, I never thought about  
5 it, to be honest. It was a lot of lights and sirens, and I  
6 didn't pay attention.

7           INV. AULET:       Given the limited time that you observed  
8 Amilcar Perez' body on the ground, did you see anyone turning  
9 him over?

10          OFC. TIFFE:       No.

11          INV. AULET:       Did anyone tell you that Amilcar was turned  
12 for any reason, turned over?

13          OFC. TIFFE:       I didn't have a conversation with anyone  
14 about that.

15          INV. AULET:       I'm not asking you if you did. I'm asking  
16 you did you hear?

17          OFC. TIFFE:       If I hear? I didn't hear anything like  
18 that, no.

19          INV. AULET:       Thank you. Did you hear any officer say  
20 that Amilcar Perez-Lopez was turned over in order to administer  
21 CPR?

22          OFC. TIFFE:       I didn't hear that.

23          INV. AULET:       Did you see Officer Obidi administering CPR  
24 on Amilcar?

25          OFC. TIFFE:       For a brief second, yeah.

26          INV. AULET:       And you didn't see him turning him over in  
27 order to do that?

28          OFC. TIFFE:       Excuse me, he was already in-progress, and

1 he may have been for I don't know how long.

2 INV. AULET: Okay. Did you see anyone other than Officer  
3 Obidi in contact with the body of Amilcar Perez-Lopez?

4 OFC. TIFFE: No, I didn't.

5 INV. AULET: Did you spot any of the cartridges, casings  
6 spent in the early part of the crime scene?

7 OFC. TIFFE: No.

8 INV. AULET: That wouldn't be something that you do,  
9 given that you were one of the active shooters, would you?

10 OFC. TIFFE: It would not be something I would do.

11 INV. AULET: How did you get home?

12 OFC. TIFFE: I did not drive home.

13 ATTY WHELAN: [REDACTED] was there.

14 OFC. TIFFE: Yeah. [REDACTED] drove me home, and then the  
15 CIRT member drove [REDACTED] car home.

16 INV. AULET: So, you don't recall being driven by  
17 Officer Silvestri instead, to your house?

18 OFC. TIFFE: No, I wasn't driven by...

19 INV. AULET: No member took you home?

20 OFC. TIFFE: No. My, the person that helped out was  
21 Officer Ana Morales, she was the CIRT member with me. I want to  
22 say [REDACTED] [REDACTED]. [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]

28 INV. AULET: And you're certain about that?

1           OFC. TIFFE:       Yeah. I was, Officer Silvestri, I can't  
2 even...I think I know who that is, but I can't even picture him  
3 right now.

4           INV. AULET:       Or Lewin-Tankel? He didn't took you home?

5           OFC. TIFFE:       He did not take me home, no. He, he  
6 definitely drove me from the scene to the station.

7           INV. AULET:       And before you left to be driven home, did  
8 any superior ask you about your unmarked vehicle, how it got  
9 from the parking lot to the crime scene?

10          OFC. TIFFE:       No.

11          INV. AULET:       So, I'm the first one to ask those  
12 questions, today?

13          OFC. TIFFE:       I think so, yeah.

14          INV. AULET:       Okay. Is there any other statement relevant  
15 to this incident that you wish to make at this time?

16          OFC. TIFFE:       No.

17          INV. AULET:       Counsel, do you have any questions for your  
18 client?

19          ATTY WHELAN:      No.

20          INV. AULET:       Officer Tiffe, is there any witness or  
21 evidence that you wish to submit on your behalf?

22          OFC. TIFFE:       No, sir.

23          INV. AULET:       In that case, we'll conclude the interview  
24 at 3:28 p.m. Thank you.

25          ATTY WHELAN:      Thank you.

26               **END OF DOCUMENT**

27

28